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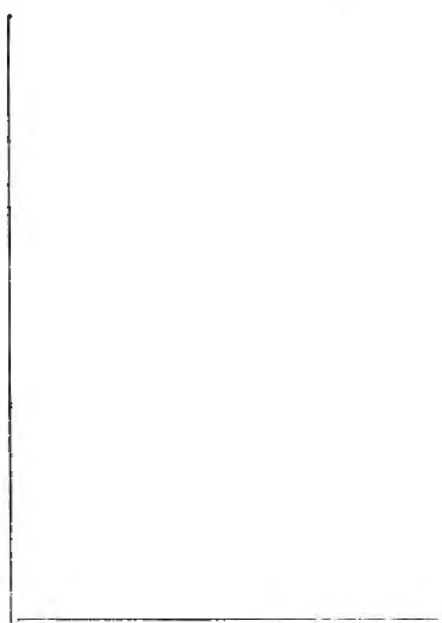
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*New York Legislative Assembly*

JOURNAL

OF THE

ASSEMBLY

OF THE

STATE OF NEW-YORK.

AT THEIR

FIFTY-EIGHTH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY,  
THE 6TH DAY OF JANUARY, 1835.

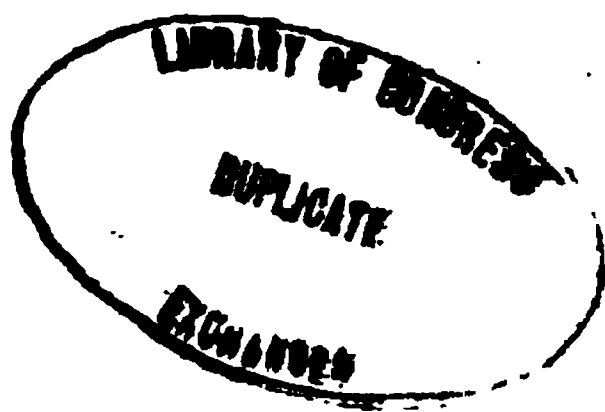
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ALBANY:

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1835.

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# **JOURNAL OF THE ASSEMBLY.**

## **STATE OF NEW-YORK:**

### **ASSEMBLY CHAMBER, IN THE CITY OF ALBANY,**

**TUESDAY, JANUARY 6, 1885.**

PURSUANT to the fourteenth section of article first of the Constitution of this State, the gentlemen whose names in the following list are marked with an asterisk, appeared in the Assembly chamber. The said list contains the names of the representatives in Assembly for the current year.

#### *From the City and County of Albany.*

\*Edward Livingston,                      \*Tobias T. E. Waldron.  
Henry G. Wheaton,

#### *From the County of Allegany.*

\*Alvin Burr.

#### *From the County of Broome.*

Neri Blatchly.

#### *From the County of Cattaraugus.*

\*Albert G. Burke.

#### *From the County of Cayuga.*

\*Cornelius Cuykendall,                      \*Noyes Palmer,  
\*Andrew Groom,                              \*Andrews Preston.

#### *From the County of Chautauque.*

\*Orren M'Cluer,                              \*John Woodward junior.

#### *From the County of Chenango.*

\*Hendrick Crain,                              \*Woodward Warren.  
Henry Crary,

#### *From the County of Clinton.*

\*Lemuel Stetson.

*From the County of Columbia.*

\*Horace Stevens,                      \*Julius Wilcoxson.  
 \*Jacob Shafer,

*From the County of Cortland.*

\*Barak Niles,                      \*Aaron Brown.

*From the County of Delaware.*

\*William B. Ogden,                      \*Dubois Burhans.

*From the County of Dutchess.*

\*Stoddard Judd,                      \*Theodore V. W. Anthony,  
 \*Stephen Thorn,                      \*David Barnes junior.

*From the County of Erie.*

\*William A. Moseley,                      \*Ralph Plumb.

*From the County of Essex.*

\*Thomas A. Tomlinson.

*From the County of Franklin.*

\*Asa Hascall.

*From the County of Genesee.*

\*Truman Lewis,                      \*Samuel Richmond.  
 \*Amos Tyrrel junior,

*From the County of Greene.*

\*Anthony Van Bergen,                      \*David Ingersoll.

*From the County of Herkimer.*

\*Henry Tillinghast,                      \*Charles Gray.  
 \*Peter P. Murphy,

*From the County of Jefferson.*

\*Charles Strong,                      \*Calvin Clark.  
 \*Eli Farwell,

*From the County of Kings.*

Philip Brasher.

*From the County of Lewis.*

\*Charles Dayan.

*From the County of Livingston.*

\*George W. Patterson,                      \*Hollom Hutchinson.

*From the County of Madison.*

\*Joseph Clark,  
\*Jason W. Powers,

\*William I. Hough.

*From the County of Monroe.*

\*Derick Sibley,  
\*George Brown,

\*Enoch Strong.

*From the Counties of Montgomery and Hamilton.*

\*Henry Adams,  
\*Collins Odell,

\*Ashbel Loomis.

*From the City and County of New-York.*

\*Benjamin Ringgold,  
\*Andrew C. Wheeler,  
\*James J. Roosevelt junior,  
Charles Henry Hall,  
\*Charles P. Clinch,  
\*Presper M. Wetmore,

\*Job Haskell,  
\*Thomas N. Carr,  
\*Christopher C. Rice,  
\*Herman I. Quackenboss,  
\*Thomas Herttell.

*From the County of Niagara.*

\*Hiram M'Neil.

*From the County of Oneida.*

\*Amos Woodworth,  
\*Merit Brooks,  
\*Dan P. Cadwell,

\*David Wager,  
\*Riley Shepard.

*From the County of Onondaga.*

\*George Pettit,  
\*Sandford C. Parker,

\*John Wilkinson,  
\*David C. Lytle.

*From the County of Ontario.*

\*Mark H. Sibley,  
\*William Hildreth,

\*Ariel Hendee.

*From the County of Orange.*

Robert Fowler,  
\*Robert Denniston,

\*Merit H. Cash.

*From the County of Orleans.*

\*Asa Clark.

*From the County of Oswego.*

\*Jesse Crowell.

*From the County of Otsego.*

\*Joseph Peck,  
\*Henry Harvey,

\*Cornelius Jones,  
\*Joseph Carpenter.

*From the County of Putnam.*

\*Daniel Kent.

*From the County of Queens.*

\*Thomas B. Jackson.

*From the County of Rensselaer.*\*Martin Springer,  
\*Chester Griswold,\*Daniel Simmons,  
\*Jacob W. Lewis.*From the County of Richmond.*

\*Lawrence Hillyer.

*From the County of Rockland.*

\*Edward Suffern.

*From the County of Saratoga.*\*Asahel Philo,  
\*William B. Van Benthuisen,

\*Eli Beecher.

*From the County of St. Lawrence.*

\*Preston King,

\*William S. Paddock.

*From the County of Schenectady.*

\*David Ostrom.

*From the County of Schoharie.*

\*Jonas Krum,

\*John F. Hiller.

*From the County of Seneca.*

\*John D. Coe,

\*Caleb Barnum.

*From the County of Steuben.*

\*Joshua Healy,

\*Jeremiah Baker.

*From the County of Suffolk.*

\*George S. Phillips,

\*George L. Conklin.

*From the County of Sullivan.*

\*James Eldred.

*From the County of Tioga.*

\*George Fisher,

\*Green Bennet.

*From the County of Tompkins.*\*Charles Humphrey,  
\*Parvis A. Williams,

\*Caleb Woodbury.

*From the County of Ulster.***\*Henry I. Davis,****\*William Woodworth.***From the County of Warren.***\*Truman B. Hicks.***From the County of Washington.***\*George M'Kie,****\*Allen R. Moore.****\*Jonathan K. Horton,***From the County of Wayne.***\*William D. Wylie,****Elisha Benjamin.***From the County of Westchester.***\*Horatio Lockwood,****\*Prince W. Paddock.****\*Edwin Crosby,***From the County of Yates.***\*Meredith Mallory.**

John A. Dix, Secretary of the State of New-York, then attended in the Assembly chamber, and duly administered to the members present the oath prescribed by the tenth article of the Constitution of this State.

The House then proceeded to choose by ballot a Speaker; and the ballots having been taken and counted, it appeared that Charles Humphrey was duly elected, and he was placed in the chair accordingly.

On motion of Mr. Livingston,

**Resolved,** That Philip Reynolds junior, be, and he is hereby appointed Clerk of this House.

On motion of Mr. Lockwood,

**Resolved,** That Daniel Dygert be, and he is hereby appointed Sergeant-at-Arms of this House.

On motion of Mr. Quackenboss,

**Resolved,** That Nathan Manson junior, be, and he is hereby appointed Doorkeeper of this House.

On motion of Mr. Jackson,

**Resolved,** That James M. D. Carr be, and he is hereby appointed Assistant Doorkeeper of this House.

On motion of Mr. Cash,

**Resolved,** That the Speaker appoint the usual standing committees.

On motion of Mr. Roosevelt,

**Resolved,** That the rules and orders of the last House of Assembly, be adopted as the rules and orders of this House, subject to such alterations as may from time to time be made therein.

On motion of Mr. Palmer,

**Resolved,** That the Clerk be directed to furnish each member with a copy of the rules of this House.

On motion of Mr. Dayan,

*Resolved*, That the Clerk be directed to furnish to each member of this House, during the present session, such newspapers as they may respectively direct, not exceeding in price two daily papers, and defray the expense out of the contingent fund of this House.

Mr. Herttell offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the Clerk cause to be procured for the use of this House, diagrams of the Senate and Assembly chambers; Constitution of the United States and of the State of New-York, with marginal notes; Articles of Confederation of the States; order of business in the Senate and Assembly; joint rules and orders, and the rules and orders of the Senate and Assembly; an alphabetical list of the members of both Houses, with their places of residence; a list of the members of this House by counties, and a list of senators arranged according to their districts; the standing committees of both Houses; the select committees of both Houses on the Governor's message; a list of the State or salary officers, and their respective salaries; an alphabetical list of the several towns and counties in this State, with the number of inhabitants in each, according to the last census of this State and of the United States; the estimated quantity of acres of land, and the value of real and personal estate; the amount of canal tolls received at each of the offices in the State; a list of the banks and insurance companies in the State, with the amount of their capital, and the time when their charter will expire; statement of rates of toll on the New-York canals; list of banks subject to the Safety fund law; statement of the funds of the State for 1834; list of members of the twenty-third Congress, and a calendar for 1835, and a map of the State of New-York: And to have the same bound in a pocket volume, and deliver a copy thereof to each of the members and officers of this House.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Wager,

*Resolved*, That petitions which are the subject of reference to standing committees, and which may be presented previous to the appointment of those committees, shall be referred directly to those committees; and it shall be the duty of the Clerk to hand them to the chairman of the appropriate committees when appointed, in the order as to priority in which they are presented to the House.

*Ordered*, That Mr. Quackenboss and Mr. Pettit be a committee to wait upon the Governor, and inform him that this House has organized, and is ready to proceed to business.

*Ordered*, That Mr. Lockwood and Mr. Wager be a committee to wait upon the Senate with a like message.

A message from the Senate, delivered by Mr. Van Schaick and Mr. Fox, was received, informing that they were a committee to announce to this House that the Senate had met, and was ready to proceed to business.

On motion of Mr. Palmer,

*Resolved*, That the Clerk be directed to furnish each member

with the usual articles of stationary, of as good quality as those provided for the Senate.

Mr. Quackenboss reported, that pursuant to the order of the House, Mr. Pettit and himself had waited upon the Governor, and informed him that this House had met, and was ready to proceed to business; and that the Governor had been pleased to say that he would immediately communicate his message to the Assembly.

Mr. Lockwood reported, that pursuant to the order of the House, Mr. Wager and himself had waited upon the Senate, and informed them that this House had met, and was ready to proceed to business.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

**FELLOW-CITIZENS OF THE SENATE AND ASSEMBLY:**

The people of this State having recently selected me to discharge the duties of their chief magistrate for a second term, I avail myself of the present occasion to express my grateful acknowledgments for this renewed manifestation of their confidence, and to assure them that my best efforts shall be devoted to their service.

At no former period have the United States occupied a more elevated position than at present, in relation to foreign powers. The claims for depredations formerly committed on the property of our merchants have been sustained by ably conducted negotiations, and admitted in almost all instances by solemn treaties; our commerce is extended to nearly every region of the globe; and our flag respected by all nations.

In adverting to the internal affairs of our country we find few causes for discontent and many for congratulation. The general government is administered with wisdom, and with a special regard to the principles on which it was founded; our national debt is now extinguished; our public revenues exceed our wants; the burden of taxation has been within a few years greatly diminished; considerable progress has been lately made in reconstructing the barriers which were erected to resist the encroachments of federal power, but which were partially overthrown by the errors of past legislation; and there is now good reason to hope that the general government, in relation to its practical operations, will soon become in all respects what it was designed to be by its wise and patriotic founders.

But your attention is chiefly to be directed to the internal affairs of our own State; it is to them your powers as legislators extend, and to them, in an especial manner, your duties relate.

In reviewing the events of the past year, your attention will be necessarily arrested by the extraordinary state of things which existed at its commencement, and continued some time thereafter. Shortly before this period, an unwonted prosperity prevailed throughout the State; the bounties of Providence had been showered upon us with a liberal hand; we had been favored with a fruitful season; labor in all the branches of industry found a ready



employment and received a fair reward; the characteristic enterprise of the people was stimulated to great activity; our internal trade exceeded in amount and extent all former example; and our foreign commerce presented sure indications of being in a sound and healthful state. There was then nothing either in our internal condition or external relations which did not presage, to the mind of ordinary observers at least, the continuance of this high state of prosperity; but it suddenly passed away, and was succeeded by a period of great pecuniary embarrassment. It is not to the present purpose to trace minutely the operation of the causes which wrought this change; but all will concur, I think, in ascribing it mainly to the contest relative to re-chartering the Bank of the United States.

This Bank, since its first establishment, has been deprecated by many, as an institution existing without constitutional authority, and by still more, as a power capable of resisting the public will, and of spurning the control reserved by the authority which created it—not necessary to the fiscal operations of the treasury—pernicious in its general influence upon our currency—and dangerous, as a political engine, to the principles of our government. A great majority of the people, viewing it with disfavor, had, by electing a Chief Magistrate well known to be decidedly opposed to a renewal of its charter, indicated their unwillingness to prolong its existence. It was not generally anticipated, though by many it was feared, that an attempt ~~would be made by the~~ infliction of public distress, to reverse this condemnatory sentence, so deliberately pronounced by the sovereign power of the country. But it did not comport with the views of the managers of the Bank, nor with the designs of those who had espoused its cause, to submit quietly to this decision. The Bank commenced a rapid curtailment of its issues, and withheld from the public its usual accommodations. Those who directed its operations, as well as those who acted in subservience to its views, loudly proclaimed its ability to inflict on the country universal distress, and announced its determination to do so, if the government did not act in conformity to its wishes. It was represented that its powers of annoyance were unexhausted, and almost inexhaustible; that the country was only in the beginning of its troubles; and that a dismal period was fast approaching when our channels of internal trade would be solitudes—the surplus productions of our soil would find no market—labor be without employment—commerce destroyed—bankruptcy become the inevitable lot of most men engaged in active business:—when in short, all classes of our citizens would be involved in a common ruin. In furtherance of this design to bring the government to the feet of this great monied power, the banks of this State were made the special objects of attack. Their condition was misrepresented; their ability derided; and their solvency questioned.

By these exaggerated representations of the actual difficulties in which we were involved; by these bold and confident predictions of still greater embarrassments about to follow; and by the assaults made upon the credit and solvency of our local banks, a ge-

neral panic was created; individual credit was impaired, public confidence shaken, and the resources which the country possessed, and which were sufficient, if brought into use, to relieve it, were withheld.

No relief was to be expected from a change of policy on the part of the Bank, without a submission to its requirements;—a submission which would necessarily concede to it the power, not only to over-rule the public will, but to impose its commands on the government by its ability and disposition to oppress and harrass the people in their business pursuits.

The advocates of this institution exercised a controlling influence over one branch of the National Legislature, and it was therefore equally vain to hope for relief from Congress, without the same degrading submission. Under these circumstances, the people of this State could look to no quarter but to their State Government, for such relief as their character would permit them to accept—a relief without the surrender of their principles. Acting in obedience to a high sense of duty to its constituents, the last Legislature interposed in their behalf its protecting power, by authorising certain commissioners to pledge the credit of the State, if the condition of the people should require it, to the amount of six millions of dollars, for the purpose of relieving the public distress. Provision was made for placing the money, in case it should become necessary to raise any, where it would be most available to counteract the efforts which had already been too successful in *destroying our prosperity*, and from the continuance of which much future injury was apprehended. The wisdom of this measure was rendered most manifest by the good effects which speedily followed its adoption. The panic began immediately thereafter to subside; public confidence revived; the aggressive operations of the Bank of the U. S. and its partizans, soon became ineffectual: as the spring opened, business of all kinds resumed its wonted activity; the pecuniary embarrassment passed away; money at length became unusually abundant; the bold and confident predictions of general ruin were falsified; and the people of this State have enjoyed, during the past season, a high degree of prosperity. It will not, I trust, be attributing too much efficacy to the *Loan Law*, passed by your predecessors, to ascribe to it no inconsiderable agency in producing this favorable change in our condition.

It is worthy of particular remark, that these signal benefits have been obtained by the mere preparation to meet and repel the evils which the people then suffered, and those with which they were menaced. I am happy to announce to you, that the Commissioners have not been under the necessity of exercising the powers confided to them by this law. The credit of the State has not been pledged for any amount whatever, nor has any money been borrowed or loaned by them. The country has entirely recovered from pecuniary embarrassment, and no unfavorable change in this respect can be anticipated before the first day of February, when this law expires by its own limitation; I feel, therefore, authorized to give the most positive assurance that no act under it will be done by the Commissioners.

It is conceded that this measure was of an extraordinary character, and could be properly resorted to only under a strong necessity arising from an extraordinary state of things. Such was our situation when it was adopted. The well-being of the whole State was put in jeopardy by a powerful monied institution, acting apparently on the consciousness of its uncontrollable power, alien to our feelings and our interests, and intent on accomplishing its selfish objects by inflicting injury upon the public. The manner of its attack and the means used to compel submission to its demands were not to be regarded otherwise than as the aggressions of a public enemy, and as such were to be repelled by resorting, if necessary, to the resources of the State. The promptitude and energy with which the Legislature prepared to resist its hostility, arrested the progress of its measures of annoyance, and restored prosperity to the State, without using the public credit, without creating any debt, or imposing any burden upon the people; and without encumbering their property or in any manner impairing their resources. When the imperious circumstances which called for this measure, and the benefits conferred upon all classes of our citizens in all parts of the State, by its mere adoption, are calmly and candidly considered, I am persuaded that it will command a still more decided and general approbation than it has yet received.

Our constituents have a common interest in the prompt and efficient administration of the laws. To secure to them the full benefit of this essential requisite of a good government, of which, to some extent, they are deprived by the great amount of business now devolved on the Court of Chancery and the Supreme Court, it appears to me that some modification of our judiciary has become necessary. My views on this subject were submitted to the last Legislature. I take the liberty to refer you to them, and to renew the recommendations then made, as well in relation to an amendment of the system, as in favor of the justice of providing an adequate compensation for the important and arduous services performed by some of our judicial officers.

In the whole range of your duties, there is no subject in which the interests of the people are more deeply involved, or which calls for higher efforts of legislative wisdom, than the cause of Education. The fund already provided by the State for the support of common schools is large, but not so ample as the exceedingly great importance of the object demands.

The special subjects in relation to common schools, to which I am anxious your attention should be particularly directed, are; a provision for supplying competent teachers; improvements in the methods of instruction; and the faithful and economical application of the funds to such objects, and in such a manner, as will insure the best results. An incipient step has already been taken in regard to educating teachers. By an act of the last Legislature, the surplus income of the Literature fund, over twelve thousand dollars, is put at the disposal of the Regents of the University, to be by them distributed to such academies, subject to their visitation, as they may select; and to be devoted exclusively to educating

common school teachers. The sum which they now have, applicable to this object, is about ten thousand dollars; and the condition of the Literature fund warrants the expectation that it will be about three thousand dollars annually hereafter. A plan will probably be adopted at the approaching session of the Board of Regents, for carrying into effect, in the most efficient manner, this wholesome measure; and I indulge the hope that it will have an auspicious influence upon our system of common school education.

Eight hundred and thirty-five towns and wards (the whole number in the State,) have made reports for the year 1833. There were nine thousand eight hundred and sixty-five school districts; the whole number of children between the ages of five and sixteen years in the State was five hundred and thirty-four thousand and two, and the number instructed in the common schools in 1833 was five hundred and thirty-one thousand two hundred and forty.

The public money distributed to the common schools was three hundred and sixteen thousand one hundred and fifty-three dollars and ninety-three cents. Of this sum, one hundred thousand dollars was contributed by the common school fund, and eighteen thousand five hundred and thirty-eight dollars and fifty-six cents by local funds belonging to the towns. The amount contributed by the inhabitants of the districts was three hundred and ninety-eight thousand one hundred and thirty-seven dollars and four cents. These sums, amounting to seven hundred and fourteen thousand two hundred and ninety dollars and ninety-seven cents, (excepting a few thousand dollars expended in the city of New-York on school houses,) have been paid to teachers for their wages. The whole amount expended during the year 1833 on the common schools, cannot fall short of one million two hundred thousand dollars.

The number of academies subject to the visitation of the Regents of the University, which made reports last year, was sixty-seven; and the number of students in them at the time their reports were made, was five thousand five hundred and six.

In 1827, the Literature fund was greatly augmented; and the Regents were thereby enabled to increase the sum distributed annually to the academies, from six thousand dollars to ten thousand dollars. The number of academies then subject to the visitation of the Regents, which reported, was thirty-three; and the number of students in them was two thousand four hundred and forty. The number of students in the academies who had studied the classics and higher branches of English education, and with reference to whom the distribution of the Literature fund is apportioned, was last year three thousand three hundred and ninety. In 1827, the number of such students was only seven hundred and nine. Thus it appears that since 1827, the number of academies has doubled; the number of students much more than doubled; and the number of those who have pursued the classics and the higher branches of English studies, has increased more than fourfold. This gratifying result may be ascribed, in no inconsiderable degree, to the enlarged and liberal patronage extended to them by the government.

There are seven colleges in this State, including the University

in the city of New-York; two of which are exclusively devoted to medical instruction. According to the returns made to the Regents of the University last year, the number of students in all of them was one thousand one hundred and thirty-five.

Upon the whole I think we have reason to be satisfied with the present condition of our higher schools and seminaries. In regard to the common schools, considering their great importance in a political and moral point of view, the efforts of the Legislature should not be intermitted until the system shall be so improved as to secure to the children of all classes and conditions of our population such an education as will qualify them to fulfil, in a proper manner, the duties appertaining to whatever may be their respective pursuits and conditions of life.

The funds dedicated to education and literature are securely invested, productive in revenue, and effective in diffusing among the people those blessings for which they were wisely provided. The capital of the Common School fund is now one million seven hundred and ninety-one thousand three hundred and twenty-one dollars and seventy-seven cents, and the revenue from it last year was one hundred and four thousand three hundred and ninety dollars and seventy-five cents, which somewhat exceeds the sum annually distributed to the common schools.

The capital of the Literature fund is two hundred and sixty-two thousand five hundred and seventy-three dollars and ten cents, and it produced last year a revenue of fifteen thousand five hundred and ten dollars and eight cents. Of this sum twelve thousand dollars is to be distributed by the Regents of the University to the academies subject to their visitation, and appropriated exclusively to paying the salaries of tutors. The remainder is put at the disposal of the Regents, for the purpose of instructing teachers of common schools.

The income from all the canals and the Canal Fund for the last fiscal year, was one million eight hundred and thirteen thousand four hundred and eighteen dollars and seventy-three cents. The whole canal debt on the 30th of September last, was seven millions and thirty-four thousand nine hundred and ninety-nine dollars and sixty-eight cents, of which four millions nine hundred and thirty four thousand six hundred and fifty-two dollars and sixty-eight cents is the unpaid balance of the debt created for the construction of the Erie and Champlain canals. For the payment of this balance, funds had accumulated on the 30th September last to the amount of three millions and two thousand five hundred and seventy-six dollars and thirty cents.

The Erie and Champlain canal fund has yielded a revenue during the last fiscal year, beyond all the charges upon it, of one million and thirty-five thousand six hundred and sixty-four dollars and ninety-two cents: the tolls alone exceeded these charges five hundred and eighty-seven thousand eight hundred and fifty dollars and sixty-one cents.

The Bank fund is two hundred and eighty-nine thousand and forty-six dollars and forty-three cents. It has increased du



ing the last year more than one hundred thousand dollars. The extent to which the banks are required to contribute to this fund is half of one per cent on their respective capitals for six years only, unless some of it should be needed for the purposes for which it was created—an event scarcely to be apprehended considering the present stability of these institutions, and the almost certain assurance the public has for their prudent management, by reason of the wise supervision to which they are subjected.

The General Fund is now reduced to one hundred and ninety thousand five hundred and ninety-six dollars and sixty-two cents. It was not, I believe, originally intended that the capital of this fund should be used to furnish the means of supporting the government. The income from it was never adequate to that object, though it might have been so, but for the encroachments made upon it to establish useful institutions, and to promote the improvement of the State. More than seven millions of dollars of its capital, and of income from sources which belonged to it, have been taken for the Canal Fund, and the Literature and Common School Funds.

From the origin of our government down to a late period, taxes were imposed whenever the condition of the treasury required it, to raise the means of defraying our ordinary expenses. Taxation was discontinued in 1826, not because the income of the General Fund (the capital of which was then only two millions thirty-seven thousand nine hundred and thirty-six dollars and thirty-five cents) was supposed to be sufficient to meet the charges on the treasury; but with the deliberate intention of relieving the people from further burdens, until the capital of that fund should be exhausted. The policy of this course was questionable, and was decidedly opposed by the officer who then had the charge of the finances of the State. What was then foreseen by all as inevitable—the exhaustion of this fund—has happened; but not so soon as was anticipated. Without being aided by the avails of any general tax upon the property of our citizens, it has, for the last eight years, supplied the principal means not only of supporting the government, but of paying the numerous and liberal appropriations made within that period for other objects. These appropriations have absorbed a large proportion of it. Since the discontinuance of the general tax, more than five hundred and eighty thousand dollars have been paid for deficiencies in the revenues of lateral canals; for Indian annuities; for draining the Cayuga marshes, and for the support of the deaf and dumb; and three hundred and twenty thousand and three dollars and seventy-four cents, for the State prisons, which have now ceased to be a charge upon the treasury. The sums for these five objects alone, together with two hundred and eighty-three thousand six hundred and sixteen dollars and sixteen cents of the capital of the General Fund, transferred to the Literature and Common School Funds in 1827, amount to nearly three-fifths as much as the entire General Fund at the time the State tax was discontinued.

In this way the treasury has at length become exhausted, and

the public exigencies will admit of no longer delay in providing funds to defray the ordinary expenses of the government, and to satisfy appropriations already made, and such as may be made hereafter.

I do not indulge the expectation that so unwise a course will be taken as to supply the means required for these purposes, by loans, without creating some special fund to pay the debt that will be thus contracted. Such a fund can only be raised by taxation, or by providing at this time for the restoration (when the existing pledge will permit it to be done) of the whole or some part of the monies which have been diverted from the General Fund to constitute the Canal Fund.

These sources have contributed to the Canal Fund, five millions of dollars; and you ought now to settle the question, whether any and what part shall be returned to the treasury. If it shall be determined that none of it shall be refunded, then, in my opinion, the levying of a general tax is inevitable, and should not be delayed.

Proceedings were commenced by the last Legislature, to release the auction and salt duties from the constitutional pledge by which they are appropriated to the Canal Fund, and to restore them to the General Fund. As this can be effected only by an amendment of the Constitution, your concurrence, as well as that of a majority of the electors, in the measure, will be necessary to carry it into effect. If it should be adopted, and the revenue from these sources be as abundant as it has been hitherto, it will be nearly or quite sufficient to defray the ordinary expenses of the government: But two years or more must elapse before it can be made available as the means of replenishing the treasury.

The operations of the canals for the last year present most gratifying results: The business done on them has exceeded in amount that of any previous season. Notwithstanding the rate of tolls was reduced in January last, twenty-five per cent on merchandize; ten per cent on wheat, flour, beef, pork, butter and cheese, and considerably on many other articles, the income of the Erie and Champlain canals, from this source alone, during the last fiscal year which ended on the thirtieth September, was one million three hundred and thirteen thousand one hundred and fifty-five dollars and eighty-four cents. The tolls of the last fiscal year are only eleven thousand two hundred and sixty-five dollars and seventy-nine cents less than those of the previous year; the business on the Erie and Champlain canals has, therefore, increased nearly in the ratio of the reduction of the tolls.

Provision was made at the last session of the Legislature for doubling the locks on the Erie canal, between Albany and Syracuse. I regret that this measure was not accompanied with another, almost equally necessary, providing for the enlargement of the capacity of the canal: For I deem it important that the new locks should be made with reference to this latter improvement. As the Commissioners have not yet begun to construct them, it is worthy of your consideration whether you should not now authorize this enlargement, and direct the new locks to be made in conformity thereto.



On each of the other canals, the tolls of the last year, although the rates were reduced as above stated, have exceeded those of the preceding year; and the business on them has therefore considerably increased. Although the tolls collected on these minor canals have increased, they have been insufficient to pay the interest on the debt created for their construction, and to defray the expenses for repairs. An advance from the treasury, for the year ending thirtieth September, has been required, of twelve thousand six hundred and forty-nine dollars and eighty-three cents, for the Oswego canal; three thousand seven hundred and sixty-one dollars and seventy-six cents, for the Cayuga and Seneca canal; forty thousand seven hundred and twenty-three dollars and fifty-five cents, for the Chemung canal; and twelve thousand eight hundred and twenty-nine dollars and eighty-two cents, for the Crooked lake canal. It is proper to observe that these canals receive no credit on account of the increase of business on the Erie canal, to which they in some measure contribute.

The whole of the Chenango canal, together with all the works connected with it, except two reservoirs, (which may not be necessary,) is under contract, and is to be completed before the first of November, 1836. The circumstances of the times have been very favorable in regard to the expense of this work, and it is believed it will be completed for a sum not much exceeding one million seven hundred thousand dollars.

Your deliberations on the subject of internal improvements will be regarded by the whole State with interest, and by many sections of it with intense anxiety. It is important to the general welfare, that our system should be carried on progressively in the manner best calculated to diffuse its benefits as generally and equally as practicable. With a view to obtain the best results in this respect, your particular attention should be turned towards settling a system of finance in relation to this branch of public expenditure. Our own experience on the subject of internal improvements, as well as that of other States, forbids the hope that any public works hereafter to be constructed by the State, will yield an income, for a considerable time after they are completed, sufficient to keep them in repair and pay the interest on the debt created for their construction. The suggestion now made in relation to a system of finance is not new. Every State which has embarked in undertakings involving large expenditures has, at the same time it authorized them, provided the means for paying the interest on the public debt to be thereby created. Our treasury was deprived of the revenue from some of its most prolific sources, for the purpose of constituting the Canal Fund, by the very act which provided for the construction of our first public works. The States of Pennsylvania and Ohio laid a general tax on the people for the same purpose, when they commenced their system of internal improvements. Such a measure was considered necessary, by us and by them, to sustain the public credit; and public credit was rightfully regarded as necessary to insure success to these undertakings. We have omitted this important

part of the system in regard to our lateral canals, and the consequence has been, that the fund for the general support of the government, has had to sustain them for the last five years, and has advanced for that purpose, two hundred and forty-nine thousand, six hundred and forty-six dollars and twenty-nine cents; of which the sum of ninety-three thousand, eight hundred and eighty-one dollars and sixteen cents was paid during the last year.

The burden of supplying the deficiency in the revenues of these canals, which is estimated by the Commissioners of the Canal Fund at sixty thousand two hundred and thirty dollars and fifty-three cents for this year, (and it will not probably be much less for several years to come,) still rests upon the treasury; and the treasury will not have the means, unless you provide them, to discharge it, or even to pay the ordinary expenses of the government without resorting to loans. The effect of a departure, in this particular, from our original system in regard to internal improvements, shows the wisdom of that system, and admonishes us of the necessity of returning to it. No government that had a proper regard for its public credit or its permanent prosperity, ever contracted a public debt without providing a revenue for the payment of the interest at least, if not for its final extinguishment; and none that neglects to make such a provision, but supplies its necessities, whether ordinary or extraordinary, by loans, and provides for the interest on them by new loans, can long prosecute successfully public enterprizes requiring large expenditures. I therefore deem it essential to the success of the system of internal improvements, that you should in some way provide adequate means for paying the interest on the public debt that must be incurred by its further prosecution.

Before you authorize the construction of any public work, it will be proper for you to compare the expenditure it will require with the benefits it will confer. In relation to the former it should be borne in mind that every public work which we have executed has cost nearly double, and in some instances more than double the estimate at the time it was authorized. In relation to the benefits, your views should be liberal and extended. They should not be confined to the state of things that will exist immediately on the completion of the work, but should have regard to the progressive advancement of the region of the State to be laid open by it; to the probable development of new resources; to the extension and increase of internal trade; and even to the local advantages it will confer. Having in my first message stated my views of what should be the character, productiveness and other attendant advantages of any proposed work which it would be proper, in my opinion, for the State to execute, I take the liberty of referring you to them, as substantially those I now entertain of the same subject.

The projects for improvements of considerable magnitude, which will probably be presented to your consideration at the present session, are; a rail-road from the city of New-York to Lake Erie through the southern tier of counties; the Black River canal

the Rochester and Olean canal; a Ship canal from the Hudson river to Lake Ontario; and another around the Niagara Falls. The line of the proposed rail-road passes through an interesting and rapidly improving section of the State, and in addition to the common advantages of such a work, one of a more general character and affecting more immediately the commercial interests of the State, is urged in its favor. It is anticipated that by this improvement an intercourse, for commercial purposes, with the extensive and flourishing regions of the West, would be opened earlier in the spring, and continued later in the autumn, than it now is or can be by the Erie canal.

A law passed at the last session of the Legislature, directed the Executive to appoint a competent and experienced engineer to survey a route for this rail-road. Such an appointment was made, and the survey has been executed. I am informed by Mr. Benjamin Wright, the engineer selected for this purpose, that the map and profile required to be filed in the office of the Secretary of State, will be completed about the fifteenth instant. These, when executed in the manner required by law, will assist you in coming to a correct conclusion on the subject of this improvement.

In relation to two of the projects I have mentioned—the Black River canal and the Rochester and Olean canal—I will only observe, that they are improvements in which a large and enterprising portion of our constituents feel a deep interest, and which they believe to be of great public importance. The Legislature at the last session directed surveys of the routes for them to be made, and reports to be laid before you. When they are received, you will possess authentic information to guide your action in relation to these improvements.

The Government of the Canadas is making vigorous efforts to render safe and easy the navigation of the St. Lawrence, with a view to direct the business on Lake Ontario and the region above and around it, to Montreal and Quebec. One of the principal objects of the proposed ship canal, is to countervail these efforts, and draw this business to the city of New-York. The enlargement of the Erie canal, will, to some extent, contribute to this object. It will be for you to determine, whether the additional advantages of a ship navigation are of sufficient importance to call for the construction of such a work.

The attention of the last Legislature was directed to the importance of removing the obstructions to the navigation of the Hudson river; but as this work has been since undertaken by the General Government, it will not be necessary for you to act on this subject.

Other projects of internal improvement than those I have mentioned, have occupied the attention of the people in different sections of the State. Should any of them be presented to the Legislature, I trust they will receive the consideration which they merit.

As contributing in some measure to the same ends for which works of public improvement are undertaken, I would bring to

your notice the subject of common highways: I refer you to the suggestions in my message of last year on this subject, and desire that it may receive your favorable consideration.

Our penitentiaries have been properly regarded as objects of great public concern, and have occupied for several years the anxious attention of the Legislature. Its views have been directed to them as the means of diminishing crimes, reforming offenders and relieving the State from the burden of supporting convicts. Our first efforts on this subject were experiments, made without the light of much experience; and the results were quite as favorable as could have been reasonably anticipated. Though our system has been progressively improved, it has not yet been brought to that degree of perfection of which it is susceptible. The facts disclosed by the officers who have had the immediate supervision of our prisons, and by the reports of the several committees appointed by the Legislature to examine them, will direct your attention to existing defects, and aid you in applying proper remedies, and adopting such further improvements as have been suggested by our own experience or by that of other States.

One of the desirable objects, which we have aimed at, has been to make the avails of the labor of convicts defray all the expense of these establishments. In order to produce such a result, various kinds of mechanical business have been introduced into them. The earnings of the convicts during the two last years have been more than sufficient to pay the ordinary expenses of the prison and to furnish the means of enlarging them and adding to their accommodations; and if a regard to the interests of a numerous portion of our fellow citizens should not require a different direction to be given to this labor, the prisons would cease to be a charge upon the treasury, and probably become a source of revenue to the State: but it never can comport with just and fair legislation to produce such a result by directing this labor in such a manner as to cause it to operate oppressively upon any particular branches of industry. It is an essential principle of our government, that burdens and benefits are to be shared equally by all, and I do not doubt that you will consider it your solemn duty, as legislators, to give practical effect to this principle. The mechanics in almost every section of the State have considered their interests injuriously affected by the manner in which the labor performed in the prisons is brought into competition with theirs, and they appealed to the last Legislature for relief. The complaint has so large and respectable a portion of our citizens commanding its prompt attention, and it directed commissioners to be appointed to examine into the government, economy and discipline of the prisons, and particularly into all the matters which constituted the grounds of this complaint. The report of these commissioners, which, I presume, will be made at an early day in the session, will bring the whole subject in all its relations and bearings before you, accompanied with such suggestions and authentic information as will enable you to appreciate the extent of the evils complained of, and to apply to them an effectual remedy.

Our fellow citizens engaged in mechanical pursuits confidently rely upon the Legislature to remove any partial burden resulting incidentally from the present mode of employing convicts; and I trust you will readily grant them such protection in this respect as they may properly claim from a government founded on the principle of equal rights and common privileges. No considerations connected merely with the income of the prisons should be permitted to interpose any obstacle to removing all just grounds of complaint. This object, I am persuaded, may be attained without abandoning the present system of discipline, or defeating the main ends for which our penitentiaries were established.

Another effect resulting from the introduction of numerous mechanical branches of business into our State prisons is also a subject of grievance to the mechanics, and is worthy of your considerate attention. The necessary consequence of instructing convicts in mechanical trades is to bring them, when discharged, into more frequent association with mechanics than with any other class of citizens. Those employed in such pursuits are, in this manner, more exposed than others to the demoralizing effects of this vicious companionship. While those who have been subjected to the discipline of our penitentiaries should be strengthened in their resolutions to reform their conduct, and all the avenues should be opened to facilitate their return to a correct course of life, and to encourage them to become useful members of society, great care should be taken to do this in such a manner as not to impair the moral condition of any description of citizens, or even to expose them, either in their own or the public estimation, to any diminution of the respect and consideration due alike to all.

The number of prisoners in the Auburn prison on the twenty-fourth day of December was six hundred and fifty, and in the Mount-Pleasant prison, on the first day of that month, eight hundred and twenty-eight.

The number received into the two prisons during the last year, is about the same as that of the preceding year: being in the Auburn prison five less, and in that at Mount-Pleasant, nine more. The number remaining in the Mount-Pleasant prison on the first of December last was one less than it was at that time in the year 1833, and in the Auburn prison thirty-seven less than in 1833.

The earnings and profits of the Auburn prison from all sources during the year ending thirtieth of September last were forty-seven thousand seven hundred and twenty-three dollars and twenty-seven cents; and the expenses for general support and ordinary repairs were forty-two thousand two hundred and twenty-eight dollars and ninety-four cents. The income of the Mount-Pleasant prison for the same period was seventy-six thousand nine hundred and ninety dollars and eighty-four cents. The expenditure for the general support during that time was fifty-five thousand five hundred and ninety-three dollars and eighty-five cents; nine thousand three hundred and ninety dollars and four cents of the balance was paid to the corporation of the city of New-York, to satisfy a demand due to it for supporting the female convicts. There has



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been expended at the Auburn prison eight thousand three hundred and eighteen dollars and seventy-two cents, for additions and improvements, and at the Mount-Pleasant prison for improvement two thousand four hundred and sixty-six dollars and thirty-four cents.

The income of the two prisons over their ordinary expense exclusive of the support of the female convicts, was twenty-six thousand eight hundred and ninety-one dollars and fifty-two cents for the last fiscal year; and over all expenses, ordinary and extraordinary, six thousand seven hundred and sixteen dollars and forty-one cents.

In my annual message of last year several subjects, in my judgment, worthy of the attention of the Legislature were then presented for consideration, accompanied with such remarks as were deemed appropriate. I shall merely allude to them again, without however, detaining you by repeating what was then said, or enlarging upon the reasons which induced me to commend them to the favor of the Legislature. These subjects were;

The erection of a separate prison for female convicts;

The exceptionable condition of most of the county jails, as places of punishment for persons convicted of minor offences;

The improvements required in the police of most of the county poor-houses;

The claims of the blind for assistance in obtaining the means of instruction; and,

The establishment of an asylum for the insane poor. The founding of such an asylum was then, and still is regarded by me as an object deeply interesting to humanity; and it was urged upon the last Legislature, not merely for the purpose of furnishing this class of forlorn fellow-beings with a comfortable subsistence, (for this is now done in an imperfect manner by the general provision for the support of paupers,) but as the necessary, and to many of them, the only means of restoring them to mental soundness. Their claim to legislative aid is certainly not impaired by delay; and I sincerely hope it will receive your favorable consideration.

Recent events, and particularly the discussions relative to the renewal of the charter of the Bank of the United States, have turned the thoughts of the people towards the character of our circulating medium, and the tendency of banking institutions and other corporations. Public opinion has every where accorded a full measure of approbation to the general views of the national executive on the subject of a metallic currency; and the people of this State now call in no equivocal voice upon their Legislature to aid in accomplishing this object, by withdrawing from circulation a portion of the notes of our banks, with a view to facilitate the introduction and circulation of gold and silver coin. For this purpose it is recommended that provision should be made for prohibiting the issue and circulation of all bank notes under the denomination of five dollars. The benefits of such a measure would be manifold; it would give the public a better currency, compose

in part of the precious metals; it would relieve, partially at least, the laboring classes from the losses and inconvenience to which they are exposed from uncurrent and spurious bills; it would, in some measure, prevent the ruinous consequences not only to individuals, but to the public, resulting from the sudden expansions and contractions to which a paper currency is constantly liable; and it would give greater stability to the business transactions of the country. Attempts have heretofore been made to adopt this measure, but were probably defeated by the apprehension that the small bills issued by the banks of adjoining States, although their circulation in this State was prohibited by law, would be substituted for those of our own institutions, and that the evil would be thereby continued, while the advantage of the circulation would be transferred from our own banks to those of other States. To remove this objection, and to render the measure effective, the Executive was directed by a resolution of the last Legislature, to open a correspondence with the Governors of the adjoining States, with a view of obtaining the adoption of a similar measure in each of them. This duty has been performed, and there is reason to believe that the subject is viewed by the people of those States, as it is here, in a favorable light, and that they will co-operate with us in this movement for remedying the evils of a paper circulating medium, and procuring a sound currency.

Though I do not anticipate any serious objection to the measure of suppressing the circulation of small bills, there may be some diversity of opinion as to the time and manner of effecting it. In determining upon these, particular regard should be paid to the state of things as it now is, and is likely to be for some time to come. Within a short period, the concerns of an enormous monied institution, to which the people of this State owe several millions of dollars, will probably be closed, and it would not be prudent to assume that this will be done with any special regard to public convenience. A considerable portion of this debt, and of the business which has been done by this institution, will be necessarily and gradually transferred to the local banks. Such a transfer, under the most favorable circumstances, would cause some inconvenience, and it might become very serious, if the ability of these banks should be greatly impaired, or our present extended system of credit rudely shaken by any ill-timed measures in regard to them.

By a resolution passed at the last session of the Legislature, each bank in this State is required to report to you this day, the amount of the several denominations of bills under that of five dollars, which it had put in circulation, as money, and which were outstanding on the first day of December last. These are the bills which are proposed to be withdrawn; and the amount of them now in circulation is estimated at about four millions of dollars. The object in withdrawing them, is not to diminish the amount of the circulating medium, for that would operate injuriously, by reducing the wages of labor and the price of property, but to introduce instead of this paper money, a like amount of gold and silver coin.



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There should be no hesitation in providing at the present session of the Legislature, not only against the further issues of each denomination of these small bills, but also for the withdrawal of those now in circulation, at a proper time. The withdrawal should be made at a successive period for each denomination, with the view to secure an effectual substitution of the coins for the paper money withdrawn, and to prevent a sudden and injurious contraction of the circulating medium.

In relation to fixing these periods, it should be borne in mind that we have now an unusual quantity of the precious metals. This circumstance will facilitate the operation of substituting coin for the paper to be called in, and allow it to be conveniently done at an earlier period than that which could be prudently selected for executing this measure if there was a scarcity, or no more than the ordinary quantity of specie in the country. It is also proper that you should consider the inconvenience which might result from a too sudden withdrawal of the small bills from circulation, in connection with the unfavorable effects which the continuance of their circulation has upon our currency and business, and the advantages which their withdrawal will secure to the public at large. To ensure success to the measure proposed, it will be indispensably necessary to make effectual provision for preventing the circulation, in this State, of the small bills issued by the banks of other States.

I conceive it to be my duty to repeat the recommendation which was made to your predecessors in relation to reducing the amount of circulation now allowed to the banks. It should not, in my judgment, be permitted, in any case, to exceed the amount of their respective capitals, nor should their credits be allowed to exceed twice that amount.

Charters of banks are applied for, and granted upon the alledged ground that they are required for the public good; but it is the nature of such institutions to be less regardful of this consideration than of their own pecuniary interests: their conduct is therefore very properly an object of constant scrutiny. Any contrivances which they may resort to, with a design to enhance their profits, should be promptly suppressed. I have reason to believe that in this respect, the public have had just grounds of complaint against some of our banks.

Instead of discounting notes according to the usual course of business, they have required drafts of their customers payable at some distant place, knowing that the drawers had not and did not expect to have funds at such place to pay them. When these drafts arrived at maturity, others were offered to the same banks, and taken in payment of the former. A discount of one per cent beyond the legal rate of interest has been exacted on these successive drafts; and by this mode of doing business, those who have been under the necessity of applying for accommodations to the banks which have resorted to this practice, have been subjected to pay an exorbitant sum for the use of the money thus obtained.— Such a mode of oppressive extortion did not long escape the vigi-

lance of the Bank Commissioners, and I have reason to believe they exerted, to good effect, all the authority they possessed to cause it to be discontinued; but I doubt whether their powers are sufficient to enable them to check this practice, and prevent a recurrence to it. You have the power to correct not only this but all other practices inconsistent with fair dealings on the part of these institutions towards the public, and I presume you will consider it your duty to exercise it promptly, by applying it directly yourselves, or through the agency of the Bank Commissioners. The practice to which I have alluded is distinct from the fair business of discounting drafts, and the remedy to be applied to it should leave the right to discount them, in the regular course of business, unimpaired.—To give to the ordinary business of loaning money the form of buying or selling drafts, for the purpose of taking usury with impunity, or as a pretext for extortion, is the practice reprehended. I have no reason to believe it has prevailed in many institutions, and it should not be tolerated in any.

While on the one hand you should act with promptness and vigor in keeping all banks within the sphere of action allowed to them, and in guarding the public against the mischievous perversion or misapplication of their powers and privileges, by restraints, and, if necessary, by annulling their charters; good faith requires, on the other, that such as use their powers and privileges in strict subservience to the purposes for which they were bestowed, should be protected in the enjoyment of them, without any diminution or modification other than may be necessary to give effect to measures of general policy for the public good.

I ought not to pass from this subject without alluding to the conduct of the State banks during the late period of panic and distress. That they, in most instances, exerted their best abilities to administer to the necessities of a suffering community will not, I presume, be questioned; and as little can it be questioned that they would have done this effectually, in spite of the assaults made upon them and upon public credit, with a view to subserve the interests of a great monied monopoly, and to effectuate the purposes of a political party, had not a large portion of that class of our citizens, most interested in sustaining public confidence in our currency, and most exposed to losses by its derangement, been led, by a strange infatuation, to concur in these mischievous designs, and to lend their active efforts to increase the panic, and spread far and wide its ruinous effects.

It is exceedingly difficult to confer particular privileges on a few without derogating from the equal rights of all others. Public opinion requires of you more caution in relation to granting corporate privileges than has been heretofore observed. The right of the Legislature to create corporations is recognized by the constitution, and it may be exercised in many instances harmlessly and even beneficially in regard to the people at large; but in no inconsiderable number of cases, corporate powers and privileges are sought for as furnishing means not allowed to all for acquir-

ing property, or for managing it in a profitable manner without the hazards to which it is exposed in individual hands.

Among the various applications usually presented to the Legislature for acts of incorporation, those for banks have been urged with the greatest earnestness, and it is highly probable several of this kind will be made to you at the present session. One of the strongest arguments that will be offered to you in behalf of them, will be, that banks are attended with many local advantages; that the sections of the State which have none, or not so many as there are in others, and which present better considerations in favor of their particular applications than those that have been successfully urged in other cases, are entitled, on the principle of equality of rights, to a participation in these advantages; and that a departure from the course heretofore pursued on this subject, will be an act of partial legislation and unjust towards them. This argument, which is alike opposed to any temporary suspension and to a permanent change of the course heretofore pursued on this subject, will not be less cogent at any time hereafter than it is now, and, if it is permitted to prevail, the Legislature will still go on as heretofore, multiplying banking institutions, whatever may be the effects upon our present system, or upon our currency. It must be conceded, I think, that banks have been heretofore too freely granted, and that we have enough of them for all the legitimate uses for which they are now wanted; you will, therefore, in my opinion, best promote the public good by refusing to add to their number.

Recent occurrences have tended to restore the militia system to the public estimation which it justly deserves in our government. It has been necessary to resort, more than once within the last year, to the military force to aid the civil magistrates in the city of New-York, in protecting the persons and property of our citizens, and in preserving the public peace. The alacrity with which the several corps performed the duty required of them on these occasions, and the efficient support they afforded the civil authority, in arresting the progress of lawless violence, and maintaining the supremacy of the laws, reflects credit on them, and vindicates the wisdom which regarded and provided for a well-organized militia as an essential part of our political system.

I have heretofore adverted to some changes in the organization of the militia, which, in our present condition, might be made without diminishing its practical benefits, and by which the burdens consequent upon the performance of militia service might be greatly alleviated. These changes can be made only by the General Government; and whatever the Legislature could do to impress on Congress the importance of acting on this subject, has, I believe, been done already by your predecessors. There are, however, some evils resulting from the present system, which it is believed the Legislature is fully competent to remedy. The present mode of punishing delinquents operates oppressively and unjustly in many cases. The number of regimental and battalion courts martial annually organized in the State, is nearly four hundred; and

they have cognizance of all delinquencies for the non-performance of duty, and for deficiencies in equipments. From the sentence of any such court, an appeal, if made within twenty days, is allowed to the officer organizing the court; but no other or further means of redress are prescribed or allowed, however great may be the injustice or error of the decision. Notices to delinquents to appear before these tribunals, may, in case of absence, be served by leaving copies thereof at their usual place of abode; and it often happens, that those who have good excuses for not performing military duty, are sentenced to pay fines and penalties without any actual knowledge of the proceedings against them. Before the parties aggrieved are apprised of the decisions of the courts, the right of appeal is frequently lost by the lapse of time. There are also some obvious objections to confining the appeal exclusively to the officers appointing the courts. Relief in cases of manifest hardship, has been formerly sought by applications to the commander-in-chief; but I have denied them, from a conviction that the law does not confer upon him the power to reverse or modify the judgment of these courts. I recommend that the time allowed for an appeal should be extended to twenty days after actual notice that a fine or penalty has been imposed, in every case where the summons to attend the court had not been personally served on the delinquent; and that a further appeal in all cases should be allowed from the decision of the officer ordering the court, to the brigadier-general. To authorize an appeal in such cases to be carried to an officer *higher in rank than a commandant of a brigade*, might not be necessary for the purposes of justice, and would be attended with much inconvenience.

During the last charter election in the city of New-York, the State arsenal was broken open, and forcible possession taken of the public arms by a mob. An act so flagitious in its character, and tending so directly to bloodshed, called public attention to the exposed situation and insecure condition of this establishment. The Executive was directed, by a resolution of the last Legislature, to enter into a correspondence or negotiation with the common council of that city for an exchange of the present site of the arsenal, together with the buildings thereon, for a more eligible one in the upper part of the city. Such a correspondence has been opened; and it is ascertained that the corporation have several pieces of land eligibly situated for the proposed object, any of which they would very willingly exchange, on terms advantageous to the State, for the site of the present arsenal. With reference to some measures regarding the police of the city, they desire that the exchange should be made as soon as practicable; I therefore recommend that you should consider this subject at an early period in the session.

I conceive it to be of the utmost importance that you should provide effectual means for executing with rigor the act passed in 1829, "to preserve the purity of our elections." The expenditure of money allowed by this act is confined to a few objects, and under no conceivable circumstances could it amount to but a small

part of the sums which there is reason to believe have been expended in the recent elections. The elective franchise is the source of all power in our political system; and next in importance to its enjoyment is the preservation of its purity. Power corrupted in its source disorders the whole government. The moral and political condition of the electors has hitherto been sufficiently healthful to counteract the corrupting influence of money, and I hope it may long continue so; but they ought to be shielded, as far as legislation can do it, from all assaults upon their purity. I am disposed to ascribe the increased efforts that appear of late to have been made to influence the elections, by the lavish use of money, to the nature of some of the questions involved in our political contests, rather than to any encouragements such a practice has derived from a supposed decrease of virtue in the electors: but from whatever cause it has arisen, it is dangerous to civil liberty, and ought to be repressed by the Legislature.

The constitution imposes on the Legislature the duty of preventing the sale of lottery tickets within this State. In defiance of the existing law on this subject, the buying and selling of these tickets is extensively carried on in various places. Not only the obligation created by the constitution, but the duty you owe to your constituents, to suppress public evils, requires you to provide more effectually for putting an end to this traffic.

An enumeration of the inhabitants of this State is to be taken this year, and if it should be deemed expedient to procure statistical information in relation to other matters than such as are now required by law, it will be necessary to provide therefor immediately, in order to enable the Secretary of State to prepare and distribute proper blanks within the period allowed for that purpose.

The recent and lamented death of our distinguished fellow citizen, Simeon De Witt, will devolve upon you the duty of electing a successor in the office of Surveyor-General, which he filled with great credit to himself and eminent usefulness to the State, for the long and uninterrupted period of fifty years. I deem it not inappropriate to avail myself of this occasion to pay a tribute of respect to the memory of a most faithful public servant, who devoted almost the whole of a long and active life to the service of this State. In the dawn of manhood he espoused the cause of liberty, and became eminent among our revolutionary patriots. He entered into the service of this State in the infancy of its government, and regarded its advancement with parental solicitude. He aided in founding and in building up most of our public institutions, and has left more, if not more enduring, memorials of his useful services, than any other of our numerous public benefactors. His many private virtues shed lustre upon his public character. A life thus commenced by services and sacrifices in the cause of civil liberty, and well sustained to its end by unremitting labors directed with singleness of purpose to the public good, should be held in just remembrance by those among whom it was spent, and presented as an encouraging example to posterity.

W. L. MARCY

*Albany, January 6, 1835.*



On motion of Mr. Roosevelt,

*Resolved*, That the message of the Governor, just read, be committed to the committee of the whole house; and that six times the usual number of copies thereof, and of the documents accompanying the same, be printed for the use of the Legislature.

Mr. Anthony offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the number of messengers to be appointed by the Speaker for the present session, be limited to four.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Judd,

*Resolved*, That when this House adjourns, it will adjourn to meet again to-morrow morning at eleven o'clock.

And then the House adjourned till eleven o'clock to-morrow morning.

## WEDNESDAY, JANUARY 7, 1835.

The House met pursuant to adjournment.

Mr. Benjamin, a member of Assembly duly elected in the county of Wayne, and Mr. Tomlinson, a member of Assembly duly elected in the county of Essex, appeared in the Assembly chamber.

Thercupon,

The Speaker duly administered to them the oath of office prescribed by the Constitution.

*Ordered*, That Mr. Benjamin and Mr. Tomlinson do take their seats.

The petition of David G. Seger, of the county of Albany, praying to be admitted to his seat in this House, in the place of Henry G. Wheaton, was read, and referred to the committee on privileges and elections.

The petition of Samuel S. Lush, of the city of Albany, praying for the repayment to him of a certain sum of money from the treasury of this State, paid for the purchase of certain lands, was read, and referred to the Commissioners of the Land-Office.

The petition of Samuel P. Smith, of the county of Albany, praying relief in relation to a certain lot of land conveyed to him by the State, and incorrectly surveyed, was read, and referred to the Commissioners of the Land-Office.

The petition of James Battle and others, of the city of Albany, praying for authority to change their names, was read, and referred to a select committee, consisting of Mr. Livingston, Mr. Waldron and Mr. Ogden.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a bank, to be located at the village

of Norwich in said county, by the name of the Wool-Growers' Bank, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the board of supervisors of the county of Herkimer, praying for the passage of an act authorising a further loan for the purpose of defraying the expense of erecting a new jail in said county, was read, and referred to a select committee, consisting of Mr. Gray, Mr. Tillinghast and Mr. Murphy.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, through the valley of the Genesee, was read, and referred to the committee on canals and internal improvements.

The petition of John Car Scadden, of the county of Madison, praying compensation for damages alleged to have been sustained in consequence of the construction of the Erie canal, was read, and referred to the committee on claims.

The petition of Nathaniel Parish, collector of the town of Bushwick in the county of Kings, praying for an extension of time in collecting the taxes for said town, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Conklin.

The petition of the supervisors of Kings county, praying for the passage of an act authorising them to raise money to erect a county jail and clerk's office in said county, and for other purposes, was read, and referred to a select committee, consisting of Mr. Phillips, Mr. Conklin and Mr. Jackson.

The petition of Isaac Satterly, praying for lands due the heirs of Henry Satterly, a soldier in the revolutionary war, was read, and referred to the committee on claims.

The petition of Justin Smith, praying for an act to enable him to complete and protect from injury a certain aqueduct in the village of Whitehall, was read, and referred to a select committee, consisting of Mr. Moore, Mr. M'Kie and Mr. Horton.

A communication from the Comptroller was received and read, in the words following, to wit:

COMPTROLLER'S OFFICE, }  
Albany, January 7, 1835. }

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

Herewith is transmitted the annual report required from this office.

I have the honor to be,

With great respect,

Your obedient servant,

A. C. FLAGG.

[See Document No. 5.]

*Ordered,* That the said report be referred to the committee on finance.

A communication from the Superintendent of Common Schools, was received and read, in the words following, to wit:

STATE OF NEW-YORK, }  
 SECRETARY'S OFFICE. }  
*Albany, January 7, 1835.*

TO THE SPEAKER OF THE ASSEMBLY. .

SIR,

I have the honor to transmit herewith the annual report required of the Secretary of State as Superintendent of Common Schools.

I am, very respectfully,

Your obedient servant,

JOHN A. DIX.

[*See Document No. 8.*]

*Ordered,* That the said report be referred to the committee on colleges, academies and common schools.

*Ordered,* That four times the usual number of copies of the said report be printed for the use of the Legislature.

A communication from the Treasurer was received and read, in the words following, to wit:

STATE OF NEW-YORK. .  
*Albany, January 7, 1835.*

The Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

I have the honor herewith to transmit to the Honorable the Assembly, the annual report required from this office.

I am, with great respect,

Your obedient servant,

A. KEYSER, *Treasurer.*

[*See Document No. 6.*]

*Ordered,* That the said report be laid upon the table.

A communication from the Commissioners of the Canal Fund, was received and read, in the words following, to wit:

*To the Legislature of the State of New-York.*

The Commissioners of the Canal Fund, pursuant to chapter nine, title two of the first part of the Revised Statutes, respectfully submit the following report:

[*See Document No. 4.*]

*Ordered,* That the said report be referred to the committee on canals and internal improvements.

*Ordered,* That four times the usual number of copies of the said report be printed for the use of the Legislature.



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**On motion of Mr. Palmer,**

**Resolved,** That the Clerk be directed to furnish each member with a good and substantial lock and key to his desk in this house.

Mr. Roosevelt gave notice that he would, at some future day, with the leave of the House, introduce a bill to prevent the circulation within this State of notes of the banks of this State under the denomination of five dollars, and of the banks of other States under the denomination of ten dollars; and to restore to individuals and unincorporated associations, including limited partnerships, their natural rights in relation to banking, with the restriction, however, of issuing no notes under the denomination of one hundred dollars.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Anthony; the same being amended, was again read, in the words following, to wit:

**Resolved,** That the number of messengers to be appointed by the Speaker for the present session, be limited to five.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Herttell; the same being amended, was again read, in the words following, to wit:

**Resolved,** That the Clerk cause to be procured for the use of this House, diagrams of the Senate and Assembly chambers; Constitution of the United States and of the State of New-York, with marginal notes; Articles of Confederation of the States; order of business in the Senate and Assembly; joint rules and orders of the two houses, when they shall have been adopted by this House, and the rules and orders of the Senate and Assembly; an alphabetical list of the members of both Houses, with their places of residence; a list of the members of this House by counties, and a list of senators arranged according to their district; the standing committees of both Houses; the select committees of both Houses on the Governor's message; a list of the State or salary officers, and their respective salaries; an alphabetical list of the several towns and counties in this State, with the number of inhabitants in each, according to the last census of this State and of the United States; the estimated quantity of acres of land, and the value of real and personal estate; the amount of canal tolls received at each of the offices in the State; a list of the banks and insurance companies in the State, with the amount of their capital, and the time when their charter will expire; statement of the rates of toll on the New-York canals; list of banks subject to the Safety fund law; statement of the funds of the State for 1834; also the names of all the post-offices in the State, their distance from Albany, their location, and by whom kept; list of members of the twenty-third Congress, and a calendar for 1835; a map of the State of New-York: And to have the same bound in a pocket volume, and deliver a copy thereof to each of the members and officers of this House.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

Whereas the Legislature, at its last session, (a majority of all the members elected to each of the two houses agreeing thereto,) did resolve that the following amendment to the Constitution of this State, be proposed and referred to the Legislature then next to be chosen:

And whereas the said proposed amendment has been published for three months previous to the time of making such choice:

*Resolved, That* this Assembly (two-thirds of all the members do agree to the said proposed to wit:  
 money shall be collected and  
 ent of such part as may then be  
 he construction of the Erie and  
 of the seventh article of the  
 relates to the amount of duties  
 amount of duties on goods sold  
 e; and thereafter the duties on  
 refrom the sum of thirty-three  
 rwise appropriated by the Act  
 of the fifteenth of April, 1817, and the duties on the manufacture  
 of salt, shall be restored to the General fund.

*Ordered, That* the said resolution be referred to the committee on the judiciary.

On motion of Mr. Cash,

*Resolved, That* the members of this House will testify their respect for the memory of Robert Fowler deceased, member elect to this House from Orange county, by wearing crape on the left arm for thirty days.

*Resolved, That* the Clerk be directed to transmit a copy of the preceding resolution to the family of the deceased.

On motion of Mr. Wager,

*Resolved, That* a select committee be appointed, to select such articles of stationery for the use of this House, as have not yet been procured by the Clerk.

*Ordered, That* Mr. Wager, Mr. Lockwood and Mr. Patterson, be a committee in pursuance of the preceding resolution.

The House then resolved itself into a committee of the whole, on the message of the Governor; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Livingston, from the said committee, reported, that the committee had agreed to several resolutions, in the words following, to wit:

*Resolved, That* so much of the Governor's message as relates to the judiciary of the State, be referred to the standing committee on the judiciary.

*Resolved, That* so much of the said message as relates to the finances of the State, and the funds and revenue thereof, be referred to the standing committee on ways and means.

*Resolved, That* so much of the said message as relates to canals

and internal improvements, be referred to the standing committee on canals and internal improvements.

*Resolved*, That so much of the said message as relates to public instruction, and the subject of education, be referred to the standing committee on colleges, academies and common schools.

*Resolved*, That so much of the said message as relates to State prisons, be referred to a select committee, consisting of one member from each Senate district.

*Resolved*, That so much of the said message as relates to the militia, be referred to the standing committee on the militia and public defence.

*Resolved*, That so much of the said message as relates to agriculture, be referred to the standing committee on agriculture.

*Resolved*, That so much of the said message as relates to poor-houses, be referred to a select committee.

*Resolved*, That so much of the said message as relates to banks, be referred to the standing committee on the incorporation and alteration of the charters of banking and insurance companies.

*Resolved*, That so much of the said message as relates to the insane poor, be referred to a select committee, consisting of one member from each Senate district.

*Resolved*, That so much of the said message as relates to the purity of elections, be referred to the standing committee on privileges and elections.

*Resolved*, That so much of the said message as relates to the census of this State, be referred to the standing committee on the judiciary.

*Resolved*, That so much of the said message as relates to the sale of lottery tickets in this State, be referred to the standing committee on the judiciary.

*Resolved*, That so much of the said message as relates to the State arsenal, be referred to the standing committee on the militia and the public defence.

*Resolved*, That so much of the said message as relates to rail-roads, be referred to the standing committee on rail-roads.

*Resolved*, That so much of the said message as relates to the improvement of highways, be referred to the standing committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Which he was directed to report to the House; and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

And then the House adjourned until eleven o'clock to-morrow morning.

## THURSDAY, JANUARY 8, 1835.

**The House met pursuant to adjournment.**

**The Speaker announced to the House the appointment of the following standing committee:**

*Ordered,* That Mr. Wilcoxson, Mr. Anthony, Mr. Shepard, Mr. J. Haskell and Mr. M'Neil, be a committee on privileges and elections.

The petition of sundry inhabitants of the towns of Burns and Almond in the county of Allegany, praying that a certain part of the town of Almond may be annexed to the town of Burns in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the towns of Almond, Angelica and Alfred in the county of Allegany, praying for the erection of a new town from parts of said towns, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at the village of Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Clinton, praying for the incorporation of the Clinton County Bank, with a capital of two hundred thousand dollars, to be located at the village of Plattsburgh in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the town of Perrysburgh in the county of Cattaraugus, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of Joseph Menard of the county of Clinton, praying for a grant of land from the State, as a compensation for services rendered by his ancestor, a Canadian refugee, was read, and referred to the committee on claims.

The petition of Samuel D. Ferguson of the county of Clinton, praying for authority to convey a certain parsonage house and lot in trust to the trustees of the Methodist Episcopal Church of the village of Plattsburgh, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Cortland, praying for the incorporation of a bank, to be located at Cortland village in the said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Samuel Trowbridge of the county of Franklin, praying that a certain tax paid to the collector of the town in which

he resides, in the year 1833, may be refunded to him, was read, and referred to the committee on grievances.

The memorial of the supervisors of the county of Genesee, praying for the passage of an act relinquishing certain lands situate in said county, to the Holland Land Company, and for other purposes, was read, and referred to a select committee, consisting of Mr. Tyrrel, Mr. T. Lewis and Mr. Richmond.

The petition of Jonathan N. Hindley and others, praying for the incorporation of the Genesee Seminary, was read, and referred to the committee on colleges, academies and common schools.

The petition of the president, directors and company of the Cairo Bridge Company, praying for an amendment of their charter, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the appointment of commissioners to lay out a certain road in the town of Pembroke in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of the Holland Purchase Free-Will Baptist Yearly Meeting of the eighth senatorial district, praying for the establishment of the New-York Free-Will Baptist Home Missionary Society, with power to take and hold real estate, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of the trustees of school district number two in the city of Rochester, praying for the permanent establishment of the present limits of said district, was read, and referred to the committee on colleges, academies and common schools.

The petition of Antoine Alexis Boler, an alien, praying for authority to take and hold real estate, was read, and referred to the committee on the petitions of aliens.

The petition of the officers of the first regiment of horse artillery, praying for an alteration of the law regulating the militia, was read, and referred to the committee on the militia and public defence.

The petition of the Seamen's Bank for Savings in the city of New-York, praying for an alteration of their charter, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Jefferson, St. Lawrence, Lewis and Oneida, praying for the construction of the Black River Canal, were read, and referred to the committee on canals and internal improvements.

The petition of Samuel Henry Newell of the city of New-York, praying for authority to change his name, was read, and referred to a select committee, consisting of Mr. Carr, Mr. Wetmore and Mr. Clinch.

The petition of Harman Levy and Catharine his wife, praying for the passage of an act authorising them to change their names,

was read, and referred to a select committee, consisting of Mr. Livingston, Mr. Waldron and Mr. Ogden.

The petition of George Kinsella of the city of New-York, praying compensation for damages alleged to have been sustained in consequence of the construction of the Erie canal, was read, and referred to the committee on claims.

The petition of the judges and district attorney of the county of Onondaga, praying for an amendment of the law regulating the term of the court of general sessions in said county, was read, and referred to the committee on the judiciary.

The petition of Asa Burrows of the county of Oneida, praying remuneration for damages alleged to have been sustained in consequence of the overflowing of the Erie canal, was read, and referred to the committee on claims.

The petition of Asa Campbell and James Rogers of the county of Oneida, praying remuneration for services alleged to have been performed on the Erie canal, was read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the county of Onondaga, praying for the appointment of commissioners to lay out a road from Skaneateles to Camillus, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Onondaga, praying for an alteration of the law regulating the State Prison system of discipline, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from the village of Syracuse to the town of Onondaga in said county, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Onondaga, praying for the passage of an act annexing a part of the town of Spafford to the towns of Marcellus and Skaneateles in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn in the county of Cayuga, to Rochester, by the way of Waterloo, Geneva and Canandaigua, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Onondaga, praying for a reduction of the tolls on the canal around the dam at Baldwinsville in said county, was read, and referred to a select committee, consisting of Mr. Wilkinson, Mr. Williams and Mr. Livingston.

The petition of sundry inhabitants of the town of Granville in the county of Washington, praying for authority to raise money for certain purposes, by tax on said town, was read, and referred to a select committee, consisting of the members attending this House from the county of Washington.



The petition of sundry inhabitants of the town of Lansing in the county of Tompkins, praying for the passage of an act authorising the election of a justice of the peace, to fill a vacancy in said town, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Ulster, praying for the incorporation of a bank, to be located at the village of Ulster in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a bank, to be located at the village of Clyde in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the village of Clyde in the county of Wayne, praying for the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Yates, praying for the appointment of an additional number of commissioners to superintend the erection of a court-house and jail in said county, was read, and referred to a select committee, consisting of Mr. Mallory, Mr. Crowell and Mr. Wager.

The petition of John M'Intyre and others, praying remuneration for damages alleged to have been sustained by the waters of the Champlain canal, was read, and referred to the committee on grievances.

The petition of Nathan Williams, one of the clerks of the Supreme Court, praying for an appropriation of money for the completion of the clerk's office at Geneva, was read, and referred to a select committee, consisting of Mr. M. H. Sibley, Mr. Hildreth and Mr. Hendee.

The petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a turnpike road from Patroon's mills in said county, to the intersection of the Brunswick and Pittstown turnpike road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I herewith transmit to you the annual report of the Commissary-General.

W. L. MARCY.

*Albany, January 7, 1835.*

[See Document No. 28.]

**Ordered,** That the said report be referred to the committee on the militia and public defence.

The annual report of the Superintendent of the Onondaga Salt Springs, was received and read.

[*See Document No. 12.*]

**Ordered,** That the said report be referred to the committee on the manufacture of salt.

The annual report of Philip French, an inspector of sole leather in the county of Tompkins, was received and read.

[*See Document No. 7.*]

**Ordered,** That the said report be laid upon the table.

The annual report of George R. Vanderlip, an inspector of lumber in the city of Albany, was received and read.

[*See Document No. 29.*]

**Ordered,** That the said report be laid upon the table.

The annual report of Isaac P. Hand, an inspector of lumber for the city and county of Albany, was received and read.

[*See Document No. 30.*]

**Ordered,** That the said report be laid upon the table.

The annual report of Hiram F. Randolph, an inspector of sole leather in the county of Tompkins, was received and read.

[*See Document No. 9.*]

**Ordered,** That the said report be laid upon the table.

The annual report of Robert Barnes, an inspector of hops in the city of New-York, was received and read.

[*See Document No. 10.*]

**Ordered,** That the said report be laid upon the table.

The annual report of William Stebbins, cashier of the New-York Dry Dock Bank, was received and read.

[*See Document No. 31.*]

**Ordered,** That the said report be laid upon the table.

Mr. Judd offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the committee on the judiciary be instructed to inquire into the expediency of requiring all the banks in this State to keep their bills at par in the city of New-York.

**Ordered,** That the said resolution be laid upon the table.



Mr. Wyhe gave notice that he would, at some future day, ask leave to introduce a bill for the relief of Stephen K. Woodward.

Mr. Tillinghast gave notice that he would, on some future day, ask leave to introduce a bill entitled "An act for the relief of David Thorp."

Mr. Livingston gave notice that he would hereafter ask leave to introduce a bill, entitled "An act authorising parties and persons interested in suits at law in courts of record, to be examined as witnesses."

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act authorising persons interested in suits at law in courts of record, to be examined as witnesses;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

Mr. Stetson gave notice that he would, on some future day, ask leave to introduce a bill, providing for the relief of the inhabitants of Clinton county from oppressive taxation for the support of foreign poor.

Mr. Wetmore gave notice that he would hereafter ask leave to introduce a bill, to authorise the clerk of the city and county of New-York to provide a book of record for the entry of judgments docketed in the court of common pleas.

Mr. Thorn gave notice that he would, at some future day, ask leave to introduce a bill to amend the act directing the manner of auditing the accounts of certain town officers in the county of Dutchess.

On motion of Mr. Wager,

*Resolved*, That hereafter all bills to be printed, shall be printed on cap paper, with sufficient space between the lines for writing on the same.

The Senate sent for concurrence, a resolution, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the joint rules and orders of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses during the present session.

*Ordered*, That the said resolution be laid upon the table.

And then the House adjourned till eleven o'clock to-morrow morning.

## FRIDAY, JANUARY 9, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the towns of Harmony and Chautauque in the county of Chautauque, praying for the erection of a new town from parts of said towns, was read, and referred to the committee on the erection and division of towns and counties.

The petition of Elkanah Watson and others, praying for the incorporation of a cotton manufacturing company, to be located on the Au Sable river, between the villages of Keeseville and Birmingham, was read, and referred to the committee on trade and manufactures.

The petition of the president, directors and company of the Jefferson County Bank, praying for an increase of their capital stock, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Samuel W. Spencer, surrogate of the county of Livingston, praying for a confirmation of certain of his official acts, was read, and referred to the committee on the judiciary.

The petition of Simon Mattison of the county of Oneida, praying compensation for a certain quantity of lumber furnished for repairs to the Erie canal, was read, and referred to the Canal Commissioners.

The petition of the trustees of the Bowery Savings Bank in the city of New-York, praying for authority to invest certain funds of said institution, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Tioga, praying for an extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of the Clyde Bank, to be located at the village of Clyde in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Onondaga, praying for the appointment of commissioners to lay out a road from Camillus in said county, to Skaneateles, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Isaac Crabb of the town of Phelps in the county of Ontario, praying for authority to change his name, was read, and referred to a select committee, consisting of Mr. Livingston, Mr. Waldron and Mr. Ogden.

The petition of sundry inhabitants of the county of Oneida, praying for the construction of the Black River canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Oneida, praying for the appointment of an additional master in chancery, to reside in the village of Rome in said county, was read, and referred to the committee on the judiciary.

The petition of John Wall and others of the county of Oswego, praying for an extension of the act authorising the erection of a toll-bridge across the Oswego river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of David G. Seger, praying to be admitted to a seat as a member of this House, reported; and offered the following resolution:

[See Document No. 11.]

*Resolved*, That David G. Seger be permitted to take his seat as a member of this House, duly elected for the county of Albany, in the room of Henry G. Wheaton, the member returned; and that the seat of the said Henry G. Wheaton be vacated.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Thereupon,

Mr. Seger appeared in the Assembly chamber, and the Speaker duly administered to him the oath of office prescribed by the Constitution.

*Ordered*, That Mr. Seger do take his seat.

Mr. Jackson, from the select committee to which was referred the petition of Nathaniel Parish, collector of taxes in the town of Bushwick in the county of Kings, reported; and asked leave to introduce a bill.

[See Document No. 19.]

*Ordered*, That leave be given to bring in such bill.

Mr. Jackson, according to leave, brought in the said bill, entitled "An act extending the time for the collection of taxes in the town of Bushwick in the county of Kings;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual report of Robert Christie, an inspector of lumber in the county of Rensselaer, was received and read.

[See Document No. 35.]

*Ordered*, That the said report be laid upon the table.

On motion of Mr. Cash,

*Resolved*, That so much of the Governor's message as relates to the blind, be referred to a select committee of one member from each Senate district.

Mr. Healy gave notice that he would, on some future day, ask

leave to introduce a bill, authorising William Woods to erect or keep erected, a dam across the Canisteo river in the town of Canisteo in the county of Steuben.

Mr. Lockwood gave notice that he would hereafter ask leave to introduce a bill, directing the Comptroller to call in any State loans now outstanding in the county of Westchester, and to make a final settlement with the loan officers in said county.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Judd; the same being amended, was read, in the words following, to wit:

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to inquire into the expediency of requiring all the banks in this State, subject to the Safety fund law, to keep their bills at par in the city of New-York.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Thereupon,

Mr. Judd made a motion that the House should agree to reconsider the vote on agreeing to the preceding resolution.

*Ordered*, That the same be laid upon the table.

Mr. Herttell offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Honorable the Senate concur herein,) That a joint committee of both houses be appointed, to inquire into the expediency and practicability of establishing in this State, with a view to a system of universal education, industrial, agricultural, mechanical, scientific and literary institutes or schools; and that the said committee report thereon at the present or succeeding session of the Legislature.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Roosevelt,

*Resolved*, That this House fully concur in the tribute of respect paid by his Excellency the Governor, in his annual message, to the memory of the deceased Simeon De Witt, who filled the office of Surveyor-General of this State, with distinguished ability and fidelity, for the long and uninterrupted period of fifty years previous to his death.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the two Houses will, on Friday next, at twelve o'clock, proceed to nominate a Surveyor-General and a Regent of the University of this State, in the place of the late Simeon De Witt deceased.

*Ordered*, That the said resolution be laid upon the table.

And then the House adjourned until eleven o'clock to-morrow morning.

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SATURDAY, JANUARY 10, 1835.

The House met pursuant to adjournment.

The Speaker announced to the House the appointment of the following standing and select committees:

*Ordered*, That Mr. Dayan, Mr. Cash, Mr. Pettit, Mr. Shafer and Mr. King, be a committee on ways and means, including every thing relating to taxation and the revenues of the State.

*Ordered*, That Mr. Adams, Mr. Hough, Mr. Brooks, Mr. Mallory and Mr. Moore, be a committee on grievances.

*Ordered*, That Mr. Wilcoxson, Mr. Anthony, Mr. Shepard, Mr. J. Haskell and Mr. M'Neil, be a committee on privileges and elections.

*Ordered*, That Mr. Livingston, Mr. Roosevelt, Mr. M. H. Sibley, Mr. Krum and Mr. Dayan, be a committee on the judiciary, and all subjects relating thereto.

*Ordered*, That Mr. Stetson, Mr. Moseley, Mr. Warren, Mr. A. Hascall and Mr. Kent, be a committee on expiring laws.

*Ordered*, That Mr. M. H. Sibley, Mr. Burhans, Mr. Cuykendall, Mr. A. Woodworth and Mr. Benjamin, be a committee on claims.

*Ordered*, That Mr. Wetmore, Mr. Burke, Mr. Clinch, Mr. Van Bergen and Mr. P. W. Paddock, be a committee on colleges, academies and common schools.

*Ordered*, That Mr. Suffern, Mr. Peck, Mr. Plumb, Mr. Crowell and Mr. Niles, be a committee on engrossed bills.

*Ordered*, That Mr. Palmer, Mr. Griswold, Mr. Harvey, Mr. Ingersoll and Mr. W. Woodworth, be a committee on the erection and division of towns and counties.

*Ordered*, That Mr. Jackson, Mr. Ringgold, Mr. Tillinghast, Mr. Tomlinson and Mr. Wylie, be a committee on the incorporation of cities and villages.

*Ordered*, That Mr. Healy, Mr. Beecher, Mr. Conklin, Mr. Crary and Mr. Horton, be a committee on agriculture.

*Ordered*, That Mr. Thorn, Mr. Coe, Mr. Wheeler, Mr. T. Lewis and Mr. Bennet, be a committee on the incorporation of charitable and religious societies.

*Ordered*, That Mr. Wilkinson, Mr. Adams, Mr. Davis, Mr. Van Benthuisen and Mr. Denuiston, be a committee on the incorporation and alteration of the charters of banking and insurance companies.

*Ordered*, That Mr. Patterson, Mr. J. Clark, Mr. Philo, Mr. Tyrrel and Mr. E. Strong, be a committee on the petitions of aliens.

*Ordered*, That Mr. Wager, Mr. Baker, Mr. A. Clark, Mr. Crain and Mr. W. S. Paddock, be a committee on canals and internal improvements.

*Ordered*, That Mr. Roosevelt, Mr. Ogden, Mr. Preston, Mr. Eldred and Mr. Hutchinson, be a committee on rail-roads.

*Ordered*, That Mr. Anthony, Mr. Phillips, Mr. C. Strong, Mr. Hicks and Mr. Blatchley, be a committee on the establishment and

improvement of roads and bridges, and the incorporation of turnpike companies.

*Ordered*, That Mr. Stevens, Mr. Crosby, Mr. Groom, Mr. Cadwell and Mr. J. W. Lewis, be a committee on State prisons, and all subjects relating to the penitentiary system.

*Ordered*, That Mr. Lockwood, Mr. Fisher, Mr. Crain, Mr. Stetson and Mr. Wetmore, be a committee on the militia, and the subjects relating to the public defence.

*Ordered*, That Mr. Moseley, Mr. Lytle, Mr. Jones, Mr. Barnum and Mr. M'Kie, be a committee on Indian affairs, and subjects relating thereto.

*Ordered*, That Mr. Parker, Mr. Seger, Mr. Barnes, Mr. Brown and Mr. Hillyer, be a committee on the manufacture of salt, and the subjects relating to the same.

*Ordered*, That Mr. Judd, Mr. Rice, Mr. Williams, Mr. Murphy and Mr. Waldron, be a committee on medical subjects, and all applications for relief or legislative provisions from medical societies or medical colleges.

*Ordered*, That Mr. Gray, Mr. Herttell, Mr. Burr, Mr. Suffern and Mr. Wager, be a committee on all bills coming within the ninth section of the seventh article of the Constitution, in accordance with the forty-seventh rule of this House.

*Ordered*, That Mr. King, Mr. Woodbury, Mr. Odell, Mr. Powers and Mr. Hildreth, be a committee on public lands.

*Ordered*, That Mr. Quackenboss, Mr. Springer, Mr. Hiller, Mr. Woodward and Mr. M'Cluer, be a committee on trade and manufactures.

*Ordered*, That Mr. Carr, Mr. Burhans, Mr. Griswold, Mr. Loomis, Mr. C. Clark, Mr. Williams, Mr. Wilkinson and Mr. D. Sibley, be a committee on so much of the message of the Governor as relates to State prisons.

*Ordered*, That Mr. Ostrom, Mr. Simmons, Mr. Farwell, Mr. Richmond and Mr. Hendec, be a committee on so much of the message of the Governor as relates to poor-houses.

*Ordered*, That Mr. Herttell, Mr. Ogden, Mr. Van Bergen, Mr. Beecher, Mr. Tillinghast, Mr. Woodbury, Mr. Coe and Mr. Plumb, be a committee on so much of the message of the Governor as relates to the insane poor.

*Ordered*, That Mr. Cash, Mr. J. Haskell, Mr. Livingston, Mr. Moore, Mr. Gray, Mr. Carpenter, Mr. Cuykendall and Mr. G. Brown, be a committee on so much of the message of the Governor as relates to the blind.

Two several petitions of sundry inhabitants of the counties of Oneida and Jefferson, praying for the construction of the Black River canal, were read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.

The petition of sundry manufacturers and dealers in horn, shell



and ivory combs, praying that the auction duty on said articles may be abolished on all sales in the city of New-York, was read, and referred to the committee on trade and manufactures.

The memorial of sundry citizens, cordwainers of the city of New-York, against the continuance of the present system of State prison labor, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of Samuel Farwell of the town of Utica in the county of Oneida, praying compensation for extra labor alleged to have been done on the Erie canal, was read, and referred to the committee on claims.

Two several petitions of sundry inhabitants of the county of Onondaga, praying relief from the effects of State prison labor, were read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of William M'South and Calvin Osgood of the town of Farmington in the county of Ontario, praying for an amendment of the law authorising a special tax to be levied upon the inhabitants of school district number eleven in said town, was read, and referred to the committee on the judiciary.

The petition of Anson Thompson of the county of Saratoga, praying compensation for damages alleged to have been sustained on the Champlain canal, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a bank, to be located at Clyde in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Phillips, from the select committee to which was referred the memorial of the supervisors of the county of Kings, for permission to raise money to build a county jail and clerk's office in said county, and for other purposes, reported; and asked leave to introduce a bill.

[*See Document No. 13.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Phillips, according to leave, brought in the said bill, entitled "An act to provide for the erection of a jail and fire-proof clerk's office in the county of Kings, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the select committee to which was referred the petition of Nathan Williams, one of the clerks of the Supreme Court, for an appropriation of money to complete the clerk's office at Geneva, reported; and asked leave to introduce a bill.

[*See Document No. 15.*]

**Ordered,** That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act concerning the supreme court clerk's office at Geneva;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Tyrrel, from the select committee to which was referred the petition of the supervisors of the county of Genesee, praying for the passage of an act authorising said county to relinquish certain lands in the village of Batavia to the Holland Land Company, and for other purposes therein contained, reported; and asked leave to introduce a bill.

[See Document No. 14.]

**Ordered,** That leave be given to bring in such bill.

Mr. Tyrrel, according to leave, brought in the said bill, entitled "An act authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Moore, from the select committee to which was referred the petition of Justin Smith, praying for an act to enable him to complete and protect from injury, a certain aqueduct in the village of Whitehall, reported; and asked leave to introduce a bill.

[See Document No. 16.]

**Ordered,** That leave be given to bring in such bill.

Mr. Moore, according to leave, brought in the said bill, entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

Enclosed I herewith transmit to you the proceedings of the Legislature of the State of Maryland, on the resolutions and report of the Legislature of this State, relative to the organization of the militia.

W. L. MARCY.

*Albany, January 10, 1835.*

[See Document No. 22.]

**Ordered,** That the said report be referred to the committee on the militia and public defence.

The House then proceeded to the consideration of the concurrent



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resolution of the Senate of the eighth instant; the same was again read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the joint rules and orders of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses during the present session.

Thereupon,

Mr. Roosevelt made a motion that the House should agree to amend the eighth of the said joint rules, by inserting after the word "corporation," the words "unless such bill be an act of general legislation."

Debates were had upon the said motion of Mr. Roosevelt; and the question being put whether the House would agree thereto, it was determined in the negative.

{ NAYS 80 }  
{ AYES 40 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Harvey	Mr. Palmer
Mr. Anthony	Mr. Healy	Mr. Parker
Mr. Baker	Mr. Hendee	Mr. Peck
Mr. Bennet	Mr. Hicks	Mr. Pettit
Mr. Blatchly	Mr. Hildreth	Mr. Phillips
Mr. Brooks	Mr. Hiller	Mr. Philo
Mr. G. Brown	Mr. Hillyer	Mr. Powers
Mr. Burhans	Mr. Horton	Mr. Preston
Mr. Burke	Mr. Hough	Mr. Shafer
Mr. Cadwell	Mr. Ingersoll	Mr. Shepard
Mr. Carpenter	Mr. Jones	Mr. D. Sibley
Mr. Cash	Mr. Judd	Mr. Simmons
Mr. A. Clark	Mr. Kent	Mr. Speaker
Mr. Coe	Mr. King	Mr. Stetson
Mr. Conklin	Mr. Krum	Mr. C. Strong
Mr. Crain	Mr. J. W. Lewis	Mr. Thorn
Mr. Crary	Mr. Lockwood	Mr. Tomlinson
Mr. Crowell	Mr. Loomis	Mr. Tyrrel
Mr. Cuykendall	Mr. Lytle	Mr. Van Benthuisen
Mr. Davis	Mr. Mallory	Mr. Van Bergen
Mr. Dayan	Mr. M'Cluer	Mr. Wager
Mr. Denniston	Mr. M'Kie	Mr. Waldron
Mr. Eldred	Mr. Moore	Mr. Warren
Mr. Farwell	Mr. Murphy	Mr. Wilkinson
Mr. Fisher	Mr. Odell	Mr. Williams
Mr. Gray	Mr. Ostrom	Mr. A. Woodworth
Mr. Groom	Mr. W. S. Paddock	

Those who voted in the affirmative are

Mr. Beecher	Mr. Jackson	Mr. Roosevelt
Mr. Benjamin	Mr. Livingston	Mr. Seger
Mr. A. Brown	Mr. M'Neil	Mr. M. H. Sibley
Mr. Barnum	Mr. Moseley	Mr. Springer
Mr. Burr	Mr. Niles	Mr. Stevens
Mr. Carr	Mr. Ogden	Mr. Tillinghast
Mr. I. Clark	Mr. P. W. Paddock	Mr. Wetmore
Mr. Clinch	Mr. Patterson	Mr. Wheeler
Mr. Crosby	Mr. Plumb	Mr. Wilcoxson
Mr. Griswold	Mr. Quackenboss	Mr. Woodbury
Mr. A. Hascall	Mr. Rice	Mr. Woodward
Mr. J. Haskell	Mr. Richmond	Mr. W. Woodworth
Mr. Herttell	Mr. Ringgold	Mr. Wylie
Mr. Hutchinson		

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Thereupon,

*Resolved*, That this House do concur with the Senate in their said resolution.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

On motion of Mr. Groen,

*Resolved*, That all bills introduced into this House on the reports of standing committees, be printed.

Mr. Herttell gave notice that he would, at a future day, ask leave to bring in a bill relative to the rights and competency of witnesses.

On motion of Mr. Hough,

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, inquire into the expediency of providing by law for the collection of highway taxes from banking companies.

On motion of Mr. Quackenboss,

*Resolved*, That the Clerk of this House cause the Clerk's office of the Assembly to be fitted up in a manner corresponding with the office of the Clerk of the Senate, and defray the expense of the same out of the contingent fund of this House.

Mr. Lockwood gave notice that he would, on some future day, ask leave to introduce a bill to amend the act in relation to the tax on dogs, so far as relates to the county of Westchester.

Mr. Wager gave notice that he would, on some future day, ask leave to introduce a bill, providing for increasing the salaries of the Chancellor, judges of the Supreme Court, and circuit judges.

Mr. Tyrrel gave notice that he would, on some future day, ask leave to bring in a bill, so to amend the act entitled "An act to subject certain debts owing to non-residents, to taxation," passed April 27th, 1833, as shall make it a misdemeanor for such non-residents, their agents or attorneys, to compel such debtors to pay the taxes assessed on such debts, either directly or indirectly.

Mr. Roosevelt offered for the consideration of the House, the following recital and resolutions, to wit:

Whereas the circulation of bank notes of the smaller denominations has been fully and unequivocally condemned by the general sense of the community, as hostile to the interests of the great body of the people, and especially of the producing classes, and as incompatible with the success of the wise and patriotic policy adopted by the present administration of the General Government, of restoring to the country its true constitutional currency of gold and silver coin:

Therefore,

*Resolved*, That the circulation within this State of all bank notes of a less denomination than five dollars, ought to be suppressed.

*Resolved*, That no notes of the banks of other States, unless the same be of the denomination of at least ten dollars, ought to be permitted to circulate within this State.

*Resolved*, That the judiciary committee be instructed to carry into effect the principle of the foregoing resolutions, at such successive periods and in such manner as they may deem expedient.

*Ordered*, That the said resolutions be laid upon the table.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Roosevelt; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the two Houses will, on Friday next, at twelve o'clock, proceed to nominate a Surveyor-General and a Regent of the University of this State, in the place of the late Simeon De Witt deceased.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Senate, and request their concurrence in the same.

On motion of Mr. Van Bergen,

*Resolved*, That the use of the Assembly chamber, on the evening of Tuesday next, be given to the Rev. D. M. Smith, in order to explain to such persons as shall choose to attend, the principles of a literary institution connected with agricultural and mechanical pursuits, lately established at Stockport in the county of Columbia; and the members of this Legislature are also invited to attend the same.

The House then resolved itself into a committee of the whole, on the bill entitled "An act, authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act extending the time for the collecting of

taxes in the town of Bushwick in the county of Kings;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in Kings county, and for other purposes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cash, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act concerning the supreme court clerk's office at Geneva;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Groom, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock on Monday morning next.

## MONDAY, JANUARY 12, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the town of Buffalo in the county of Erie, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Erie, praying for authority to raise money for the purpose of constructing and repairing the road leading from Abbott's corners in Hamburg, to the southerly bounds of the city of Buffalo, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the city of Buffalo, praying for the passage of an act incorporating the Sailors' and Boatmen's Friend Society of said city, was read, and referred to the committee on the incorporation of charitable and religious societies.

Three several petitions of sundry inhabitants of the counties of Jefferson and St. Lawrence, praying for the construction of the Black river canal, were read, and referred to the committee on canals and internal improvements.

The petition of Ann Hoep and others of the town of Pamela in the county of Jefferson, praying for the passage of a law authorising them to take, hold and convey real estate, was read, and referred to the committee on the petitions of aliens.

Three several petitions of sundry inhabitants of the county of Wayne, praying for the incorporation of a bank, to be located at Clyde in said county, by the name and style of the Clyde Bank, were read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at the village of Owego in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the owners of certain hydraulic works on the outlet of the Crooked lake, praying for the improvement of the Crooked lake canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Yates, Ontario and Steuben, praying relief in relation to certain hydraulic works situated at the outlet of the Crooked lake, was read, and referred to the committee on grievances.

The petition of sundry auctioneers of the county of Kings, praying for the exclusive privileges of selling property situated in said county, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Onondaga, praying for the passage of an act authorising James L. Voorhis and Asher Tappen to erect a toll-bridge across the Seneca river in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Ward Hunter of the county of Westchester, praying for the passage of an act relative to a ferry across the Hudson river between Peekskill and Caldwell, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the managers of the Orphan Asylum Society of

the city of Brooklyn, praying for an act of incorporation, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the town of Florida in the county of Oneida, praying for the passage of an act allowing a bounty for the destruction of bears, was read, and referred to a select committee, consisting of Mr. A. Woodworth, Mr. Brooks and Mr. Cadwell.

The petition of St. John Constant of the county of Westchester, praying for the passage of an act authorising him to continue the ferry from Caldwell's landing to Peekskill, across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of sundry inhabitants of the county of Columbia, praying for the incorporation of a bank, to be located at Kinderhook in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Livingston, from the select committee to which was referred the petition of James Battle and others, praying for the passage of an act to authorise them to assume the surname of Battell, reported; and offered the following resolution:

*[See Document No. 25.]*

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Gray, from the select committee to which was referred the petition of the board of supervisors of the county of Herkimer, reported; and asked leave to introduce a bill.

*[See Document No. 20.]*

*Ordered*, That leave be given to bring in such bill.

Mr. Gray, according to leave, brought in the said bill, entitled "An act to authorise a loan by the county of Herkimer, to defray the expense of the new jail erected therein;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Mallory, from the select committee to which was referred the petition of sundry inhabitants of the county of Yates, to increase the number of commissioners to superintend the building of a court-house and jail in said county, reported; and asked leave to introduce a bill.

*[See Document No. 21.]*

*Ordered*, That leave be given to bring in such bill.



Mr. Mallory, according to leave, brought in the said bill, entitled "An act to increase the number of commissioners to superintend the building of a court-house and jail in the county of Yates;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act concerning the supreme court clerk's office at Geneva;" the engrossed bill entitled "An act extending the time for the collecting of taxes in the town of Bushwick in the county of Kings," and the engrossed bill entitled "An act authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act concerning the supreme court clerk's office at Geneva," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act extending the time for the collecting of taxes in the town of Bushwick in the county of Kings," was read the third time.

The said bill being amended, by the unanimous consent of the House,

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The annual report of Abraham A. Slover, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 27.]

*Ordered*, That the said report be laid upon the table.

In pursuance of previous notice, Mr. Wager asked for and obtained leave to bring in a bill, entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Livingston,

*Resolved*, That a select committee be appointed on so much of the Governor's message as relates to county prisons.

Mr. Livingston gave notice that he would, on some future day, ask leave to introduce an act entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof."

On motion of Mr. Adams,

*Resolved*, That the committee on the judiciary be discharged

from the consideration of so much of the Governor's message as relates to the enumeration of the inhabitants of this State, and to the buying and selling of lottery tickets; and that so much as relates to the enumeration of the inhabitants of this State, be referred to a select committee, consisting of one member from each Senate district; and that so much as relates to the buying and selling lottery tickets, be referred to a select committee.

Mr. Hough gave notice that he would, on some future day, ask leave to introduce a bill, providing for the exercise of equity powers in cases under one hundred dollars.

Mr. Healy gave notice that he would, on some future day, ask leave to introduce a bill, authorising James Manderson and Thomas M'Burney to extend the navigation from the head of the feeder of the Chemung canal in the town of Painted-Post, Steuben county, to the highway leading south from the village of Centerville in said town, by means of slack water and a canal.

On motion of Mr. Quackenboss,

*Resolved*, That the Clerk cause the list of post-offices, postmasters, &c. which he is directed to have published in the Red Book, to be copied from Williams's Register for 1834, with such alterations and additions as he can obtain from the postmaster of this city.

In pursuance of previous notice, Mr. Healy asked for and obtained leave to bring in a bill, entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorise a loan by the county of Herkimer, to defray the expense of the new jail erected therein;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Healy, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the further consideration of the said bill, and that the same be referred to the Comptroller.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to increase the number of commissioners to superintend the building of a court-house and jail in the county of Yates;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Quackenboss, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned until eleven o'clock to-morrow morning.



## TUESDAY, JANUARY 13, 1835.

The House met pursuant to adjournment.

In pursuance of the resolutions of yesterday, the Speaker announced the appointment of the following select committees:

*Ordered*, That Mr. Ringgold, Mr. Philo, Mr. Crowell, Mr. Clinch and Mr. Burke, be a committee on so much of the Governor's message as relates to the sale of lottery tickets within this State.

*Ordered*, That Mr. Adams, Mr. Phillips, Mr. Davis, Mr. Ingersoll, Mr. Cadwell, Mr. Niles, Mr. Mallory and Mr. Burr, be a committee on so much of the Governor's message as relates to the enumeration of the inhabitants of the State.

*Ordered*, That Mr. A. Hascall, Mr. Conklin, Mr. P. W. Paddock, Mr. Griswold, Mr. Hough, Mr. Peck, Mr. Hendee and Mr. T. Lewis, be a committee on so much of the message of the Governor as relates to county prisons.

The petition of sundry inhabitants of the county of Suffolk, praying for the incorporation of a company by the name and style of the Peconick Navigation Company, for the purpose of constructing a sloop channel in the Peconick river, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, through the valley of the Genesee, was read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the cities of New-York and Brooklyn, praying for the passage of an act authorising the establishment of additional ferries between the said cities, were read, and referred to the committee on the judiciary.

The petition of Owen Wilds of the town of Sullivan in the county of Madison, praying compensation for damages alleged to have been sustained in consequence of obstructions in the Erie canal, was read, and referred to the committee on grievances.

The petition of George T. and Henry Perry of the town of Sullivan in the county of Madison, praying compensation for damages alleged to have been sustained by the widening of the aqueduct over the Canasaraga creek on the Erie canal, was read, and referred to the committee on grievances.

The petition of Zebulon Douglass of the county of Madison, praying compensation for labor alleged to have been performed on the Erie canal, was read, and referred to the committee on claims.

The petition of Bates Cook of the town of Lewiston in the county of Niagara, praying for the appraisal of certain lots of land situated in said town, was read, and referred to the committee on public lands.

The petition of Benjamin Barton and others of the county of Niagara, praying for the passage of an act authorising the Commissioners of the Land-Office to sell to the petitioners certain lands

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in the village of Lewiston in said county, was read, and referred to the committee on public lands.

The petition of sundry inhabitants of the county of Niagara, praying for an alteration in the present State prison system of discipline, was read, and referred to the committee on so much of the Governor's message as relates to that subject.

The petition of sundry inhabitants of the county of Niagara, praying for the revival of the act incorporating the Niagara Canal Company, for the construction of a ship canal around Niagara falls on the American side, was read, and referred to the committee on canals and internal improvements.

The petition of Thomas Livingston of the county of Madison, praying compensation for damages alleged to have been sustained in consequence of obstructions in the Erie canal, was read, and referred to the committee on grievances.

The petition of William L. Beard of the county of Tioga, praying for authority to purchase the right of the people of this State to a certain lot of land in said county, was read, and referred to the committee on public lands.

The remonstrance of John Brown and others of the county of Schenectady, against any alteration in the route of the Mohawk rail-road at Schenectady, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Jefferson, praying for the repeal of the law relative to the inspection of fish in said county, was read, and referred to a select committee, consisting of Mr. Farwell, Mr. C. Strong and Mr. C. Clark.

The petition of Elizabeth Favre and others of Le Ray in the county of Jefferson, praying for the passage of an act releasing all the right, title and interest of the people of this State, in and to a certain lot of land therein mentioned, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the county of Tioga, praying remuneration for damages alleged to have been sustained in consequence of the construction of the Chemung canal, was read, and referred to the committee on grievances.

The petition of Jacob I. Timmerman of Canajoharie in the county of Montgomery, praying relief in relation to a sale by the State of certain of his lands for quit rents, was read, and referred to the committee on grievances.

The petition of Gertrude Gates of the city of Albany, widow of John Gates deceased, a soldier of the revolution, praying remuneration in bounty lands for services rendered by her said husband during the revolutionary war, was read, and referred to the committee on claims.

The petition of Paisley Laing of the county of Albany, praying for the passage of a law directing the Canal Appraisers to appraise the damages alleged to have been sustained by him in consequence of the erection of a dam by the State across the Hudson river, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the town of Grove in the

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county of Allegany, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

Mr. Livingston, from the select committee to which was referred the petition of Karman Levy and Catharine Belinda his wife, praying for the passage of an act authorising them to change their surname, reported; and offered the following resolution:

[See Document No. 24.]

*Resolved*, That the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Carr, from the select committee to which was referred the petition of Samuel H. Newell, to change his name to John Stark, reported; and asked leave to introduce a bill.

[See Document No. 25.]

*Ordered*, That leave be given to bring in such bill.

Mr. Carr, according to leave, brought in the said bill, entitled "An act authorising Samuel H. Newell to change his name;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, on the reference from the Assembly of the petition of Samuel S. Lush of the city of Albany, respectfully report:

[See Document No. 26.]

*Ordered*, That the said report be referred to the committee on the judiciary.

A copy of a resolution of the Senate, delivered by their clerk, was read, informing that they have concurred with this House in its resolution of the ninth instant, fixing the time for choosing a Regent of the University and a Surveyor-General, with an amendment by inserting therein "Tuesday the twentieth instant," in place of "Friday next."

Mr. Speaker put the question whether the House would agree with the Senate in their said amendment, and it was determined in the affirmative.

*Ordered*, That the Clerk return the said resolution to the Senate, and inform them that this House have concurred with them in their amendment thereto, and have amended the same accordingly.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to increase the number of commissioners to superintend the building of a court-house and jail in the county of Yates," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. Wetmore asked for and obtained leave to bring in a bill, entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make entries therein of judgments docketed in the court of common pleas of said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. Lockwood asked for and obtained leave to bring in a bill, entitled "An act regulating the tax on dogs in the county of Westchester;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Livingston,

*Resolved*, That the committee on ways and means be instructed to inquire into the expediency of so amending the act entitled "An act to subject certain debts owing to non-residents, to taxation," passed April 27th, 1833, as to exempt from taxation debts owing to citizens of any of the United States for loans of money to citizens of this State, not connected with or growing out of any other contract.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Judd; the same was again read, in the words following, to wit:

*Resolved*, That the vote on agreeing to the resolution relative to keeping bills of country banks at par in the city of New-York, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Thereupon,

The said resolution being amended, the same was again read, in the words following, to wit:

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to inquire into the expediency of requiring all the banks in this State, subject to the Safety fund law, to keep their bills at par in the city of New-York.

Mr. Speaker put the question whether the House would agree to

the said resolution as amended, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Tillinghast asked for and obtained leave to bring in a bill, entitled "An act for the relief of David Thorp;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Healy asked for and obtained leave to bring in a bill, entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals and internal improvements.

Mr. Tomlinson offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of authorising the assignees or trustees of insolvent debtors, not falling within the provisions of the Revised Statutes relative to the voluntary assignments of debtors for the benefit of their creditors, to prosecute in their own names or otherwise, and recover the estate, debts and things in action, belonging or due to such debtor, and more especially in cases where the insolvent has died intestate, and no administration has been made of his effects.

*Ordered*, That the said resolution be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Groom, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Roosevelt, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said bill, and that the same be referred to a select committee, consisting of Mr. Healy, Mr. Baker and Mr. Burke, to consider and report thereon.

The House then resolved itself into a committee of the whole, on the bill entitled "An act authorising Samuel H. Newell to change his name;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Dayan, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to

the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make entries therein of judgments docketed in the court of common pleas of said county;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Adams, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

### WEDNESDAY, JANUARY 14, 1835.

*The House met pursuant to adjournment.*

The petition of sundry inhabitants of the county of Sullivan, praying for the passage of an act authorising a subscription by the State to the stock of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Jefferson, praying for the construction of the Black river canal, was read, and referred to the committee on canals and internal improvements.

The petition of Patrick Rooney of the city of Albany, praying a release of the right, title and interest of the people of this State, to a certain lot of land purchased by him of an alien, was read, and referred to the committee on the petitions of aliens.

The petition of Joseph E. Smith & Co. of the county of Tioga, praying for the passage of an act authorising the Canal Board to settle and pay the petitioners a just compensation for the construction of sections number four and five on the Oswego canal, was read, and referred to the Canal Commissioners.

The memorial of John Preston and others of the city and county of Albany, relative to an improvement in the manner of teaching common schools, was read, and referred to the committee on colleges, academies and common schools.

*Ordered*, That the usual number of copies of the said memorial be printed for the use of the Legislature.

[See Document No. 24.]

The petition of sundry inhabitants of the county of Orleans, praying for the passage of an act authorising the supervisors of said county to raise one thousand dollars by tax on the inhabitants of



said county, for the improvement of a certain road therein, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the trustees of the Bowery Savings Bank, praying for authority to make investments of certain funds of said institution, reported a bill, entitled "An act in relation to the Bowery savings bank in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

A communication from the Comptroller was received and read, in the words following, to wit:

#### TO THE ASSEMBLY.

The Comptroller, to whom was referred by the Assembly, a petition from the board of supervisors of the county of Herkimer, and a bill for loaning money to said county from the common school fund, reported:

[*See Document No. 33.*]

Thereupon,

Mr. Gray made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gray, and it was unanimously determined in the affirmative.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act authorising Samuel H. Newell to change his name," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The annual report of Francis Peckwell, an inspector of staves and heading in the city of New-York, was received and read.

[*See Document No. 36.*]

*Ordered*, That the said report be laid upon the table.



The annual report of Jacob Lockman, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 40.]

*Ordered*, That the said report be laid upon the table.

The annual report of Benjamin C. Capron, an inspector of lumber in the city of Albany, was received and read.

[See Document No. 50.]

*Ordered*, That the said report be laid upon the table.

The annual report of Asa Fassett, an inspector of lumber in the city of Albany, was received and read.

[See Document No. 44.]

*Ordered*, That the said report be laid upon the table.

The annual report of R. C. Theall, an inspector of liver oil in the city of New-York, was received and read.

[See Document No. 46.]

*Ordered*, That the said report be laid upon the table.

Mr. Adams offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of John M'Intyre and others, praying for an act to remunerate them for an injury done by the waters of the Champlain canal, and that the same be referred to the Canal Commissioners.

*Ordered*, That the said resolution be laid upon the table.

Mr. G. Brown gave notice that he would, on some future day, ask leave to bring in a bill to amend an act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," passed April 26th, 1831.

On motion of Mr. Roosevelt,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of allowing transcripts of judgments in the superior court of the city of New-York, to be filed and docketed in the supreme court of the State, in like manner and with the like effect as the judgments of justices' courts are now transcribed and docketed in the courts of common pleas; and that the committee have leave to report by bill or otherwise.

On motion of Mr. Cash,

*Resolved*, That the Secretary of State be, and he is hereby requested to communicate to this House the profile, map and accompanying report of Benjamin Wright, of the survey of a rail-road from New-York to Lake Erie, made in pursuance of an act of the Legislature, passed May 6th, 1834, if the same shall have been filed in his office; and if not, as soon thereafter as the same shall be filed with him.

Mr. Livingston offered for the consideration of the House, the following recital and resolution, to wit:

Whereas great and general complaint appears to prevail in the public mind, as to the extraordinary delays in the Court of Chancery and the Supreme Court, in respect to the hearing and expediting of the decision of causes; and whereas the reasons of such delays may be owing to the imperfection of the judicial system adopted by the Constitution and laws of this State:

Therefore,

*Resolved*, with the view of obtaining adequate and proper information in relation to the subjects above mentioned, and to enable the Legislature to apply the proper remedies for defects that may exist in the present system, That the Chancellor and the Chief Justice of the Supreme Court be requested to inform this House of the present state of business in their respective courts, and whether, in their opinion, there is just ground for the complaints alluded to; and if so, then that they be requested to report to this House such a judicial system as will, in their opinion, be adequate to perform with despatch the business which will probably have to be transacted before our said judicial tribunals.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. M. H. Sibley,

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of Anson Thompson for relief, and of Asa Burrows for remuneration for damages done to his lands by the waters of the Erie canal, and that the same be referred to the committee on grievances.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Tomlinson; the same was again read, in the words following, to wit:

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of authorizing the assignees and trustees of insolvent debtors, not falling within the provisions of the Revised Statutes relative to the voluntary assignments of debtors for the benefit of their creditors, to prosecute in their own names or otherwise, to recover the estate, debts and things in action, belonging or due to said debtor, and more especially in cases where the insolvent has died intestate, and no administration has been made of his effects.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Adams,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of G. S. and H. Perry, praying for compensation for losses sustained by them in consequence of widening the aqueduct on the Erie canal at New-Boston; and that the same be referred to the Canal Commissioners.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Herttell; the same being amended, was again read, in the words following, to wit:

**Resolved,** (if the Honorable the Senate concur herein,) That a joint committee of both houses be appointed, to inquire into the expediency and practicability of establishing in this State, with a view to a system of universal education, industrial, agricultural, mechanical, scientific and literary institutes or schools; and that the said committee report thereon at the present session of the Legislature.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Thereupon,

**Ordered,** That Mr. Herttell, Mr. Warren, Mr. Moore, Mr. Cash and Mr. Wilcoxson, be of the said committee on the part of this House.

**Ordered,** That the clerk deliver a copy of the preceding resolution to the Senate, and request their concurrence in the same.

The House then resolved itself into a committee of the whole, on the bill entitled "An act regulating the tax on dogs in the county of Westchester;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Palmer, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

The report of the committee of the whole being amended, by inserting at the end of the sixth and last section thereof the words "and all the provisions of the aforesaid title which are inconsistent with this act, are hereby repealed;"

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report as amended, and it was determined in the affirmative.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Bowery savings bank in the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Anthony, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

Mr. Ogden, from a majority of the select committee to which was referred the petition of Isaac Crabb of the county of Ontario, for the passage of an act authorising him to change his name from that of Isaac Crabb to Isaac Harrison, reported; and asked leave to introduce a bill.

[See Document No. 32.]

**Ordered,** That leave be given to bring in such bill.

[ASSEMBLY JOURNAL.]

Mr. Ogden, according to leave, brought in the said bill, entitled "An act to change the name of Isaac Crabb;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Thereupon,

The House then resolved itself into a committee of the whole, on the said bill; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cuykendall, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

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## THURSDAY, JANUARY 15, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.

The petition of the trustees of the Mount-Pleasant Academy in the county of Westchester, praying for the passage of an act exonerating them from the payment of a certain sum of money therein specified, was read, and referred to the committee on colleges, academics and common schools.

The petition of sundry inhabitants of the county of Sullivan, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the town of Spafford in the county of Onondaga, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of the board of supervisors of the county of Albany, praying for the passage of an act authorising the election of commissioners of deeds in the different towns in said county, at their

annual town meetings, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Warren, praying for an appropriation from the State treasury of four thousand dollars, to build a free bridge across the Hudson river at or near its junction with Schroon river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry mechanics of the county of Tioga, praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the towns of Le Roy and Bergen in the county of Genesee, praying for the passage of an act authorising the First Methodist Episcopal Society in said towns to change its name, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of John W. Wisner of the town of Elmira in the county of Tioga, praying remuneration for services alleged to have been performed on the Chemung canal, was read, and referred to the Canal Commissioners.

Mr. Adams, from the committee on grievances, to which was referred the petition of Jacob I. Timmerman, for the passage of a law enabling him to obtain full and adequate relief from an incumbrance upon a lot of land sold by mistake for quit rent, reported; and asked leave to introduce a bill.

[See Document No. 87.]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled "An act for the relief of Jacob I. Timmerman;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the county of Oneida, praying for the appointment of an additional master in chancery for said county, reported a bill, entitled "An act in relation to masters in chancery in the county of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Onondaga, praying for the appointment of commissioners to lay out a road from the village of Skaneateles to the village of Camillus in said county, reported a bill, entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on the judiciary, to which was referred the resolution of yesterday, instructing said committee to inquire into the expediency of allowing transcripts of judgments in the superior court of the city of New-York to be filed and docketed in the supreme court of the State, reported a bill, entitled "An act in relation to judgments in the superior court of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The Senate returned the resolution of this House of the ninth instant, fixing the time for the appointment of a Surveyor-General and Regent of the University.

A message from the Senate was read, informing that they have passed the bill entitled "An act extending the time for the collecting of taxes in the town of Bushwick in the county of Kings," without amendment.

*Ordered*, That the clerk deliver the said bill to the Governor.

On motion of Mr. Burhans,

*Resolved*, That the committee on claims, to whom was referred the petition of George Kinsella, praying for compensation for damages sustained by the construction of the Erie canal at Schenectady; and also the petition of John Car Scadden of Madison county, for relief, be discharged from the further consideration of the said petitions, and that the same be referred to the committee on grievances.

Mr. Williams gave notice that he would ask leave to introduce a bill, at some future day, to reduce the rate of interest in this State to six per cent per annum.

Mr. M. H. Sibley gave notice of his intention to ask leave, at some future day, to bring in a bill to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, so far as to authorise the assignment of sheriffs' certificates on the sale of real estate.

On motion of Mr. Adams,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of sundry inhabitants of the county of Tioga, for damages sustained by the construction of the Chemung canal; and that the same be referred to the Canal Commissioners.

On motion of Mr. Wetmore,

*Resolved*, That the annual report of the Trustees of the State Library be referred to the committee on colleges, academies and common schools.

On motion of Mr. Adams,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of Asa Burrows, praying remuneration for damages done him by the overflowing of the Erie canal; and that the same be referred to the Canal Commissioners.

In pursuance of previous notice, Mr. Wylie asked for and obtained leave to bring in a bill, entitled "An act legalizing the conveyance of a certain piece of land to Stephen R. Woodward, and



his conveyance of the same;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. King,

*Resolved*, That the committee to whom was referred so much of the Governor's message as relates to the census, be instructed to inquire into the expediency of providing for ascertaining the amount expended for the relief of paupers in each of the counties, and also the amount paid by tax in each of the counties for defraying the charges of courts of special sessions.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of David Thorp;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilcoxson, from the said committee, reported, that the committee had disagreed to the first section and the enacting clause of the said bill; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Gray made a motion to amend the report of the committee of the whole, by restoring the first section of the said bill.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Gray, and it was determined in the negative.

{ NAYS 94 }  
{ AYES 21 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Harvey	Mr. Philo
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Baker	Mr. Hendee	Mr. Preston
Mr. Barnes	Mr. Hildreth	Mr. Rice
Mr. Beecher	Mr. Hiller	Mr. Richmond
Mr. Benjamin	Mr. Hillyer	Mr. Ringgold
Mr. Bennet	Mr. Hough	Mr. Roosevelt
Mr. Blatchly	Mr. Hutchinson	Mr. Seger
Mr. Brooks	Mr. Jackson	Mr. Shafer
Mr. A. Brown	Mr. Jones	Mr. D. Sibley
Mr. G. Brown	Mr. Judd	Mr. M. H. Sibley
Mr. Burhans	Mr. Kent	Mr. Simmons
Mr. Burke	Mr. King	Mr. Speaker
Mr. Barnum	Mr. Krum	Mr. Springer
Mr. Burr	Mr. J. W. Lewis	Mr. Stevens
Mr. Cadwell	Mr. Livingston	Mr. C. Strong
Mr. Carpenter	Mr. Lockwood	Mr. E. Strong
Mr. Cash	Mr. Loomis	Mr. Thorn
Mr. A. Clark	Mr. Lytle	Mr. Tomlinson
Mr. C. Clark	Mr. M'Kie	Mr. Van Benthuisen



Mr. Clinch	Mr. M'Neil	Mr. Van Bergen
Mr. Coe	Mr. Moore	Mr. Waldron
Mr. Conklin	Mr. Murphy	Mr. Warren
Mr. Crary	Mr. Niles	Mr. Wetmore
Mr. Crosby	Mr. Odell	Mr. Wheeler
Mr. Crowell	Mr. Ogden	Mr. Wilcoxson
Mr. Cuykendall	Mr. Palmer	Mr. Williams
Mr. Dayan	Mr. Patterson	Mr. Woodbury
Mr. Denniston	Mr. Peck	Mr. Woodward
Mr. Farwell	Mr. Pettit	Mr. W. Woodworth
Mr. Fisher	Mr. Phillips	Mr. Wylie
Mr. Griswold		

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Those who voted in the affirmative are

Mr. Carr	Mr. Herttell	Mr. Powers
Mr. J. Clark	Mr. Hicks	Mr. Quackenboss
Mr. Crain	Mr. Horton	Mr. Shepard
Mr. Gray	Mr. Mallory	Mr. Stetson
Mr. Groom	Mr. Moseley	Mr. Tillinghast
Mr. J. Haskell	Mr. W. S. Paddock	Mr. Wager
Mr. Healy	Mr. Parker	Mr. A. Woodworth 21

Thereupon,

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to change the name of Isaac Crabb;" and the engrossed bill entitled "An act authorising a loan to the county of Herkimer, to defray the expense of the new jail erected therein;" and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to change the name of Isaac Crabb," was read the third time.

*Resolved,* That the bill do pass.

The said engrossed bill, entitled "An act authorising a loan to the county of Herkimer, to defray the expense of the new jail erected therein," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to the Bowery savings bank in the city of New-York," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act regulating the tax on dogs in the county of Westchester," and find the same correctly engrossed.

**Thereupon,**

**The said engrossed bill was read the third time.**

**Resolved, That the bill do pass.**

**Ordered, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.**

**The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Jacob I. Timmerman;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Coe, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.**

**Ordered, That the bill be engrossed.**

**And then the House adjourned until eleven o'clock to-morrow morning.**

## **FRIDAY, JANUARY 16, 1835.**

**The House met pursuant to adjournment.**

**The petition of Nathaniel Bosworth of the county of Broome, praying for authority to remove a certain gun-house situated in the town of Lisle in said county, was read, and referred to the committee on the militia and public defence.**

**Three several petitions of sundry inhabitants of the counties of Jefferson and Lewis, praying for the construction of the Black river canal, were read, and referred to the committee on canals and internal improvements.**

**The petition of sundry inhabitants of the county of Herkimer, praying for the appointment of a superintendent of the road on the south side of the Mohawk river between the cities of Utica and Schenectady, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.**

**The memorial of the president, directors and company of the First Great Southwestern Turnpike Company, praying for a revival and amendment of their corporate powers, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.**

**The petition of Lucas Elmendorf of the county of Ulster, praying for the passage of an act authorising the Comptroller to execute to him conveyances for certain lands therein mentioned, was read, and referred to the committee on claims.**

**The petition of sundry inhabitants of the county of Otsego, praying for an alteration of the present State prison system, was**

read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of Wessel Ten Broeck of the town of Edmeston in the county of Otsego, praying remuneration for labor alleged to have been performed on a certain road in said county, was read, and referred to the committee on grievances.

The petition of sundry inhabitants of the county of Sullivan, praying for legislative aid in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of Curtiss Peck of the city of New-York, praying for the passage of an act authorising him to build a dock in the town of Rye in the county of Westchester, was read, and referred to the Commissioners of the Land-Office.

Two several petitions of Jefferson Bartlet, Vincent Conkling and others of the village of Horseheads in the county of Tioga, praying for the passage of an act authorising them to use the surplus waters of the Chemung canal, were read, and referred to the Canal Commissioners.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of sundry inhabitants of the town of Lansing in the county of Tompkins, for the passage of an act authorising a special town meeting for the election of a justice of the peace to fill a vacancy, reported; and asked leave to introduce a bill.

[See Document No. 39.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wilcoxson, according to leave, brought in the said bill, entitled "An act relative to supplying vacancies in the office of justice of the peace;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the judges and district attorney of the county of Onondaga, praying for an alteration of the law regulating the court of general sessions in said county, reported a bill, entitled "An act relative to the court of general sessions of the county of Onondaga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of Samuel D. Ferguson of the county of Clinton, praying for the passage of an act authorising him to convey by deed a certain parsonage house and lot to the trustees of the Methodist Episcopal Church of the village of Plattsburgh in said county, reported a bill, entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist episcopal church of

said village;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Healy, from the select committee to which was referred the bill entitled "An act authorising William Woods to erect a dam across the Canisteo river," reported; and recommended that the said bill should be passed into a law.

[See Document No. 38.]

**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. Moore, from the select committee to which was referred the petition of sundry inhabitants of the town of Granville, praying for an act to raise money to defray certain expenses in said town, reported; and asked leave to introduce a bill.

[See Document No. 41.]

**Ordered,** That leave be given to bring in such bill.

Mr. Moore, according to leave, brought in the said bill, entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I herewith transmit to you a special report of the Commissary-General, on the subject of the issues of arms and stores to the troops in the city of New-York, called out in July last, to assist in suppressing riots.

W. L. MARCY.

*Albany, January 16, 1835.*

[See Document No. 200.]

**Ordered,** That the said report be referred to the committee on the militia and public defence.

A communication from the Secretary of State, transmitting a report relative to the proposed amendment to the Constitution of this State, as to the duty on the manufacture of salt, was received and read.

[See Document No. 42.]

**Ordered,** That the said report be referred to the committee on the judiciary.

[ASSEMBLY JOURNAL.]

The annual report of W. P. Lansing, an inspector of lumber in the county of Albany, was received and read.

[See Document No. 53.]

*Ordered*, That the said report be laid upon the table.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of the fourteenth instant, appointing a joint committee to inquire into the expediency of establishing in this State, industrial, agricultural, mechanical, scientific and literary institutes or schools; and have appointed Mr. Mack, Mr. Fisk and Mr. Lacy, of the committee on the part of the Senate.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act for the relief of Jacob I. Timmerman," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Moseley gave notice that he would, at some future day, ask leave of the House to introduce a bill to amend an act entitled "An act to incorporate the city of Buffalo."

On motion of Mr. Phillips,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of providing by law, that no judgment hereafter to be rendered in the Supreme Court of this State, shall be a lien on any lands or other real estate, unless a transcript of such judgment, certified by a clerk of the Supreme Court, shall first be filed and docketed in the office of the clerk of the county in which such lands or other real estate may be situated; and that said committee report thereon, by bill or otherwise, with all convenient speed.

Mr. Wager gave notice that he would, on some future day, ask leave to introduce a bill authorising masters in chancery to take the acknowledgment of deeds and other conveyances.

Mr. Woodward gave notice that he would, on some future day, ask leave to introduce a bill to reduce the tolls on the Cattaraugus bridge.

Mr. Krum gave notice that he would, on some future day, ask leave to introduce a bill regulating the service of declarations in courts of record.

*Ordered*, That Mr. Crain have leave of absence for eight days.

On motion of Mr. Moseley,

*Resolved*, That the committee on the judiciary be instructed to inquire, and report to this House, as to the expediency of repealing so much of the act prescribing the compensation of the members of the Legislature, as to omit the words, "after his arrival at the place of meeting of either house, or on his way thereto," in the

fourth section of the sixth title of the seventh chapter of the first part of the Revised Statutes.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. M. H. Sibley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying vacancies in the office of justice of the peace;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Moseley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the court of general sessions of the county of Onondaga;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wetmore, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ogden, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

And then the House adjourned until eleven o'clock to-morrow morning.

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## SATURDAY, JANUARY 17, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Sullivan, praying for the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.



Mr. A. Woodworth, from the select committee to which was referred the petition of sundry inhabitants of the town of Florence in the county of Oneida, praying for the passage of a law authorising a bounty for the killing of bears, reported; and asked leave to introduce a bill.

[See Document No. 43.]

*Ordered*, That leave be given to bring in such bill.

Mr. A. Woodworth, according to leave, brought in the said bill, entitled "An act relative to the destruction of bears in the town of Florence, Oneida county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, to whom was referred the petition of Curtis Peck, praying for permission to build a suitable wharf or dock for the landing of passengers and freight from the steam-boats in which he is concerned, in the town of Rye in Westchester county, respectfully report:

[See Document No. 51.]

*Ordered*, That the said report be referred to a select committee, consisting of Mr. Lockwood, Mr. Crosby and Mr. P. W. Paddock.

The annual report of Richard B. Fosdick, an inspector of flax-seed in the city and county of New-York, was received and read.

[See Document No. 57.]

*Ordered*, That the said report be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river," and the engrossed bill entitled "An act relative to the court of general sessions of the county of Onondaga," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act relative to the court of general sessions of the county of Onondaga," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

And then the House adjourned until eleven o'clock on Monday morning next.



## MONDAY, JANUARY 19, 1835.

The House met pursuant to adjournment.

Two several petitions of sundry inhabitants of the county of Allegany, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville in the county of Livingston, were read, and referred to the committee on canals and internal improvements.

Seventeen several petitions of sundry inhabitants of the counties of Genesee, Lewis, Suffolk, Tompkins, St. Lawrence, Cattaraugus, Monroe, Albany, New-York, Tioga, Clinton, Westchester, Dutchess, Orleans, Madison, Putnam and Saratoga, praying for a repeal of the law of last session, proscribing the practice of botanic physicians, were read, and referred to the select committee on that subject, of which Mr. J. Hascall is chairman.

The petition of Major Watson of the county of Oswego, a soldier of the revolution, praying remuneration for services rendered during the revolutionary war, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the village of New-Hartford in the county of Oneida, praying for the passage of an act to authorise the construction of a side-cut from the Chenango canal to said village, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Ulster, praying for the incorporation of a bank, to be located at the village of Kingston in said county, by the name and style of the Kingston Bank, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Yates, praying for an alteration in the present militia system, was read, and referred to the committee on the militia and public defence.

The petition of sundry inhabitants of the county of Sullivan, praying for legislative aid in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the village of Binghamton in the county of Broome, praying for relief from the effects of the present system of State prison labor, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

Mr. Livingston, from the committee on the judiciary, to which was referred the resolution of this House of the sixteenth instant, instructing the committee to inquire as to the expediency of repealing a part of the act prescribing the compensation of the members of the Legislature, reported against making such repeal.

[See Document No. 54.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The engrossed bill entitled "An act in relation to the Bowery savings bank in the city of New-York," was read the third time.

Thereupon,

*Ordered*, That the said bill be recommitted to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act extending the time for the collecting of taxes in the town of Bushwick in the county of Kings."

W. L. MARCY.

*Albany, January 16, 1835.*

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, in obedience to the act entitled "An act directing the survey of a canal route from the High falls on the Black river, to the Erie canal," passed April 22d, 1834, respectfully report:

[*See Document No. 55.*]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That double the usual number of copies of the said report be printed for the use of the Legislature.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to increase the number of commissioners to superintend the building of a court-house and jail in the county of Yates;" the bill entitled "An act to authorise a loan by the county of Herkimer, to defray the expense of a new jail erected therein;" and the bill entitled "An act concerning the supreme court clerk's office at Geneva," severally without amendment.

*Ordered*, That the clerk deliver the said bills to the Governor.

The annual report of Robert Dingee, an inspector of green hides and skins in the city of New-York, was received and read.

[*See Document No. 52.*]

*Ordered*, That the said report be laid upon the table.

The annual report of Peter Conrey, an inspector of lumber in the city of New-York, was received and read.

[*See Document No. 70.*]

*Ordered*, That the said report be laid upon the table.

The annual report of Nathan Roberts, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 58.]

*Ordered*, That the said report be laid upon the table.

In pursuance of previous notice, Mr. Thorn asked for and obtained leave to bring in a bill, entitled "An act to provide for auditing the accounts of certain town officers in the county of Dutchess;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Moseley asked for and obtained leave to bring in a bill, entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

*Ordered*, That the committee on colleges, academies and common schools, be discharged from the consideration of the petition of Jonathan N. Hinckley and others, praying for the incorporation of the Genesee Seminary; and that the same be referred to the committee on the incorporation of charitable and religious societies.

On motion of Mr. Cash,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of changing the time of the annual meeting of the Legislature, to the first Tuesday of December in each year.

*Ordered*, That Mr. Quackenboss have leave of absence for three days, and Mr. M'Kie until Wednesday next.

On motion of Mr. M. H. Sibley,

*Resolved*, That the Canal Board be requested to communicate to the House of Assembly, the proceedings which have been had by or before the said Board, upon the application of Samuel Farwell for compensation for labor done and materials furnished upon the Erie canal; particularly whether said Board has allowed all or any part of such claim, with the reasons for the allowance or disallowance of the same or any part thereof.

In pursuance of previous notice, Mr. Herttell asked for and obtained leave to bring in a bill, entitled "An act relative to the rights and competency of witnesses;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Bowery savings bank in the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Patterson, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned till eleven o'clock to-morrow morning.

[ASSEMBLY JOURNAL.]

## TUESDAY, JANUARY 20, 1835.

The House met pursuant to adjournment.

The petition of Chauncey Persons of the county of Cayuga, setting forth that he was severely wounded in discharging his musket while in the service of the State as one of the guard at the Auburn State prison, and praying pecuniary relief in the premises, was read, and referred to the committee on claims.

Three several petitions of sundry inhabitants of the counties of Livingston, Genesee and Cattaraugus, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, were read, and referred to the committee on canals and internal improvements.

Ten several petitions of sundry inhabitants of the counties of Saratoga, Delaware, Chautauque, Oneida, New-York, Westchester, Clinton, Genesee, Monroe and Dutchess, praying for a repeal of the law of last session, proscribing the practice of botanic physicians, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Chautauque, praying for the incorporation of a bank, to be located in the village of Fredonia in said county, with a capital of one hundred thousand dollars, subject to such provisions as the Legislature may deem expedient, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Sullivan, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of John Herkimer of the county of Herkimer, praying compensation for damages alleged to have been sustained in consequence of the construction of the Erie canal, was read, and referred to the Canal Commissioners.

The petition of George Ohl of the city and county of New-York, praying for authority to change his name, was read, and referred to a select committee, consisting of Mr. Roosevelt, Mr. Wetmore and Mr. Clinch.

The petition of Abiel Fuller of the county of Madison, praying compensation for losses alleged to have been sustained in the construction of the Erie canal, was read, and referred to the committee on grievances.

The petition of Lawrence Schermerhorn of the town of Rotterdam in the county of Schenectady, praying remuneration for damages alleged to have been sustained in consequence of his well having been rendered useless by the waters of the Erie canal, was read, and referred to the committee on grievances.

Three several petitions of sundry inhabitants of the county of Schoharie, praying for an alteration of the present State prison

system, were read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The memorial of George Clark of the county of Otsego, praying for the passage of an act extending the time within which an application may be made for appraisement of damages on the Erie canal, was read, and referred to the committee on canals and internal improvements.

The petition of Joseph A. Norton of the county of Monroe, praying compensation for services rendered in apprehending fugitives from justice, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the town of Franklinville in the county of Cattaraugus, praying for authority to raise a certain sum of money by tax on said town, and also for an extension of the time for the collection of taxes therein, was read, and referred to a select committee, consisting of Mr. Moore, Mr. Burr and Mr. Woodward.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Oneida and Herkimer, praying for an amendment of the law relative to highways, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Chautauque, against the erection of a new town from the towns of Harmony and Chautauque in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of Charles Waggoner of the town of Palatine in the county of Montgomery, praying for the passage of an act authorising him to take the oath and hold the office of justice of the peace in said town, was read, and referred to the committee on the judiciary.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Bowery savings bank in the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Patterson, from the said committee, reported progress, and asked for and obtained leave to sit again.

Pursuant to title third of the fifth chapter of the first part of the Revised Statutes of this State, and agreeably to the concurrent resolution of the ninth instant, the House proceeded to nominate a Surveyor-General of this State; when each member present openly nominated as follows:

FOR WILLIAM CAMBELL.

Mr. Adams  
Mr. Anthony  
Mr. Baker

Mr. Griswold  
Mr. Groom  
Mr. Harvey

Mr. Phillips  
Mr. Philo  
Mr. Powers

Mr. Barnes	Mr. J. Haskell	Mr. Preston
Mr. Beecher	Mr. Healy	Mr. Rice
Mr. Benjamin	Mr. Herttell	Mr. Ringgold
Mr. Bennet	Mr. Hicks	Mr. Roosevelt
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shafer
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Jones	Mr. Springer
Mr. Carr	Mr. Judd	Mr. Stetson
Mr. Cash	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. King	Mr. Suffern
Mr. J. Clark	Mr. Krum	Mr. Thorn
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Van Benthuisen
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wager
Mr. Crowell	Mr. Mallory	Mr. Warren
Mr. Cuykendall	Mr. Murphy	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. W. S. Paddock	Mr. Williams
Mr. Eldred	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Peck	Mr. A. Woodworth
Mr. Gray	Mr. Pettit	Mr. Wylie

FOR BENJAMIN WRIGHT.

Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. J. W. Lewis	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. Simmons
Mr. Burr	Mr. M'Neil	Mr. C. Strong
Mr. C. Clark	Mr. Moore	Mr. E. Strong
Mr. Farwell	Mr. Moseley	Mr. Tomlinson
Mr. A. Hascall	Mr. Niles	Mr. Tyrrel
Mr. Hendee	Mr. Patterson	Mr. Waldron
Mr. Hildreth	Mr. Plumb	Mr. Woodward
Mr. Hillyer		

Thereupon,

On motion of Mr. Dayan,

*Resolved*, That William Campbell be, and he is hereby nominated on the part of this House, for the office of Surveyor-General of this State.

Pursuant to article first of title first of chapter fifteenth of the first part of the Revised Statutes, and agreeably to the concurrent resolution of the ninth instant, the House proceeded to nominate a Regent of the University of this State; when each member present openly nominated as follows:

## FOR AMASA J. PARKER.

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. Groom	Mr. Philo
Mr. Baker	Mr. Harvey	Mr. Powers
Mr. Barnes	Mr. J. Haskell	Mr. Preston
Mr. Beecher	Mr. Healy	Mr. Rice
Mr. Benjamin	Mr. Herttell	Mr. Ringgold
Mr. Bennet	Mr. Hicks	Mr. Roosevelt
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shafer
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Jones	Mr. Springer
Mr. Carr	Mr. Judd	Mr. Stetson
Mr. Cash	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. King	Mr. Suffern
Mr. J. Clark	Mr. Krum	Mr. Thorn
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Van Benthuisen
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wager
Mr. Crosby	Mr. Mallory	Mr. Warren
Mr. Crowell	Mr. Murphy	Mr. Wetmore
Mr. Cuykendall	Mr. Ogden	Mr. Wheeler
Mr. Davis	Mr. Ostrom	Mr. Wilcoxson
Mr. Dayan	Mr. W. S. Paddock	Mr. Williams
Mr. Denniston	Mr. Palmer	Mr. Woodbury
Mr. Eldred	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Gray	Mr. Pettit	

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## FOR DANIEL D. BARNARD.

Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. J. W. Lewis	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. Simmons
Mr. Burr	Mr. M'Neil	Mr. C. Strong
Mr. C. Clark	Mr. Moore	Mr. E. Strong
Mr. Farwell	Mr. Moseley	Mr. Tomlinson
Mr. A. Hascall	Mr. Niles	Mr. Tyrrel
Mr. Hendee	Mr. Patterson	Mr. Waldron
Mr. Hildreth	Mr. Plumb	Mr. Woodward
Mr. Hillyer		

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Thereupon,  
 On motion of Mr. Cash,  
*Resolved*, That Amasa J. Parker is nominated on the part of this House, for the office of Regent of the University of this State.  
 A copy of a resolution of the Senate was received and read, in the words following, to wit:



**Resolved,** (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nominations of a Surveyor-General and Regent of the University.

Thereupon,

**Resolved,** That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their said nominations.

**Ordered,** That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

The Senate accordingly attended in the Assembly chamber; and having withdrawn, Mr. Speaker informed the House, that on comparing the nominations of the Senate and Assembly, they were found to agree in the names of William Campbell for the office of Surveyor-General, and Amasa J. Parker for the office of Regent of the University.

Thereupon,

**Resolved,** That William Campbell, of the county of Otsego, is hereby appointed Surveyor-General of this State.

**Resolved,** That Amasa J. Parker, of the county of Delaware, is hereby appointed Regent of the University of this State.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to increase the number of commissioners to superintend the building of a court-house and jail in the county of Yates."

Also the bill entitled "An act to authorise a loan to the county of Herkimer, to defray the expense of a new jail erected therein."

Also the bill entitled "An act concerning the supreme court clerk's office at Geneva."

W. L. MARCY.

*Albany, January 20, 1835.*

The House then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Bowery savings bank in the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Patterson, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Roosevelt made a motion that the House should agree to amend the report of the committee of the whole, by inserting the following as the third and last section of the said bill:

§ 3. It is hereby declared to be lawful for any person or association of persons, without an act of incorporation, to keep an office for the purpose of receiving deposits, any thing in the Revised Statutes or in any other statute to the contrary notwithstanding.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Roosevelt, it was determined in the negative.

{ NAYS 102 }  
{ AYES 12 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. A. Hascall	Mr. Phillips
Mr. Baker	Mr. Hendee	Mr. Philo
Mr. Barnes	Mr. Hildreth	Mr. Powers
Mr. Beecher	Mr. Hiller	Mr. Preston
Mr. Benjamin	Mr. Hillyer	Mr. Richmond
Mr. Bennet	Mr. Horton	Mr. Seger
Mr. Blatchly	Mr. Hough	Mr. Shafer
Mr. Brooks	Mr. Hutchinson	Mr. Shepard
Mr. A. Brown	Mr. Ingersoll	Mr. D. Sibley
Mr. G. Brown	Mr. Jackson	Mr. M. H. Sibley
Mr. Burhans	Mr. Jones	Mr. Simmons
Mr. Burke	Mr. Judd	Mr. Speaker
Mr. Barnum	Mr. Kent	Mr. Springer
Mr. Burr	Mr. King	Mr. Stetson
Mr. Cadwell	Mr. Krum	Mr. Stevens
Mr. Carpenter	Mr. J. W. Lewis	Mr. C. Strong
Mr. Cash	Mr. Livingston	Mr. E. Strong
Mr. A. Clark	Mr. Lockwood	Mr. Suffern
Mr. C. Clark	Mr. Loomis	Mr. Thorn
Mr. J. Clark	Mr. Lytle	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. M'Neil	Mr. Van Benthuisen
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Waldron
Mr. Dayan	Mr. Niles	Mr. Warren
Mr. Denniston	Mr. Ogden	Mr. Wilcoxson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. Woodward
Mr. Gray	Mr. Parker	Mr. A. Woodworth
Mr. Griswold	Mr. Patterson	Mr. Wylie 102

Those who voted in the affirmative are

Mr. Carr	Mr. Herttell	Mr. Ringgold
Mr. Clinch	Mr. Hicks	Mr. Roosevelt
Mr. Cuykendall	Mr. Pettit	Mr. Wetmore
Mr. J. Haskell	Mr. Rice	Mr. Wheeler 12

~~Thereupon,~~  
Further debates were had upon the said report; and the same being amended,

Mr. Speaker put the question whether the House would agree with the report of the committee of the whole as amended, and it was determined in the affirmative.

{ AYES 98 }  
{ NAYS 18 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Patterson
Mr. Anthony	Mr. A. Hascall	Mr. Peck
Mr. Baker	Mr. Healy	Mr. Phillips
Mr. Barnes	Mr. Hicks	Mr. Philo
Mr. Beecher	Mr. Hildreth	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Seger
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burhans	Mr. Jackson	Mr. Simmons
Mr. Burke	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. Kent	Mr. Stetson
Mr. Cadwell	Mr. King	Mr. Stevens
Mr. Carpenter	Mr. Krum	Mr. C. Strong
Mr. Cash	Mr. J. W. Lewis	Mr. E. Strong
Mr. A. Clark	Mr. Livingston	Mr. Suffern
Mr. C. Clark	Mr. Lockwood	Mr. Thorn
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Van Benthuisen
Mr. Crowell	Mr. M'Neil	Mr. Van Bergen
Mr. Davis	Mr. Moore	Mr. Wager
Mr. Dayan	Mr. Moseley	Mr. Warren
Mr. Denniston	Mr. Murphy	Mr. Wheeler
Mr. Eldred	Mr. Niles	Mr. Wilcoxson
Mr. Farwell	Mr. Ogden	Mr. Williams
Mr. Fisher	Mr. Ostrom	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. Woodward
Mr. Griswold	Mr. Palmer	Mr. A. Woodworth
Mr. Groom	Mr. Parker	

Those who voted in the negative are

Mr. Bennet	Mr. Hendee	Mr. Ringgold
Mr. Carr	Mr. Herttell	Mr. Roosevelt
Mr. Clinck	Mr. Horton	Mr. Shafer
Mr. Crary	Mr. Pettit	Mr. Waldron
Mr. Cuykendall	Mr. Preston	Mr. Wetmore
Mr. J. Haskell	Mr. Rice	Mr. Wylie

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*Ordered,* That the bill be re-engrossed.

And then the House adjourned until eleven o'clock to-morrow morning.

## WEDNESDAY, JANUARY 21, 1835.

The House met pursuant to adjournment.

Four several petitions of the board of supervisors of the county of Kings, and of sundry inhabitants of the county of Suffolk, praying for the establishment of additional ferries between the cities of New-York and Brooklyn, were read, and referred to the committee on the judiciary.

Two several petitions of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, were read, and referred to the committee on canals and internal improvements.

The petition of Horace Hulbert and David Porter, praying compensation for services rendered and expenses incurred in the construction of certain works connected with and forming part of the Chemung canal feeder, with sundry affidavits relating thereto, was read, and referred to the committee on claims.

Three several petitions of sundry inhabitants of the county of Jefferson, and of the board of supervisors of the county of Oneida, praying for the construction of the Black river canal, were read, and referred to the committee on canals and internal improvements.

Twelve several petitions of sundry inhabitants of the counties of Dutchess, Tioga, New-York, Saratoga, Westchester, Albany, Lewis, Cattaraugus, Cortland, Oneida, Tompkins, Clinton and Cayuga, praying for a repeal of the law of last session, proscribing the practice of botanic physicians, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' bank, to be located at the village of Norwich in said county, was read, and re-

ferred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Yates, Ontario and Steuben, praying for damages alleged to have been sustained by the diversion by the State of the waters of the outlet of the Crooked lake, were read, and referred to the committee on grievances.

The petition of sundry inhabitants of the counties of Westchester and Rockland, praying for the passage of a law authorising them to erect and maintain a ferry across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of John B. Herrishoff and others of the county of Lewis, praying that certain taxes paid by them may be refunded, was read, and referred to the Comptroller.

The petition of William H. Lacy and James Haggart, proprietors of the ferry from Black-Rock in the county of Erie, to Waterloo in Upper Canada, praying for the passage of an act authorising them to erect and maintain a drawbridge across Black-Rock harbor, was read, and referred to the Canal Commissioners.

The petition of Joseph Campbell of the county of Oneida, praying for remuneration for lands sold by the Surveyor-General, was read, and referred to the committee on grievances.

The petition of the Saratoga Manufacturing Company, praying for the passage of an act authorising the correction of a mistake in the tax-roll of the town of Saratoga, was read, and referred to the committee on the judiciary.

The petition of Nathan Bumpus of the town of Richland in the county of Oswego, praying compensation for part of lot twenty-eight in Freemason's patent in the town of Litchfield, Herkimer county, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the town of De Kalb in the county of St. Lawrence, praying for the passage of an act authorising the transfer of the common school fund of said town, was read, and referred to a select committee, consisting of Mr. King, Mr. W. S. Paddock and Mr. Adams.

The petition of Gilbert D. Dillon of the village of Kingston in the county of Ulster, praying remuneration for injury received by the accidental discharge of a field-piece, while on duty in obedience to the orders of the Adjutant-General, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Niagara, praying for an increase of the capital stock of the Lockport Bank, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Sullivan, praying for legislative aid in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of Jacob H. Failing of Oppenheim in the county of

Montgomery, praying compensation for damages alleged to have been sustained in consequence of a breach in the dam across the Mohawk river, constructed to supply the Erie canal with water, was read, and referred to the Canal Commissioners.

The remonstrance of sundry inhabitants of the county of Chenango, against the appointment of a Supreme Court commissioner to reside in the village of Oxford in said county, was read, and referred to the committee on the judiciary.

Mr. Burke, from the committee on colleges, academies and common schools, to which was referred the petition of John Preston and others, relative to an improved manner of teaching schools, reported; and offered the following resolution:

[See Document No. 63.]

*Resolved*, That the petitioners have leave to withdraw their petition, and that the committee be discharged from the further consideration of the same.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I herewith transmit to you the annual report of the Adjutant-General.

W. L. MARCY.

*Albany, January 20, 1835.*

[See Document No. 211.]

*Ordered*, That the said report be referred to the committee on the militia and public defence.

A communication from William Dumont, an inspector of pot and pearl-ashes in the city of New-York, was received and read.

[See Document No. 68.]

*Ordered*, That the said communication be laid upon the table.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, in pursuance of the thirty-first section of the act entitled "An act concerning escheats," passed April 29th, 1833, submit herewith a statement of all the releases granted under that act, and the act amending the same; the names of the persons to whom they were granted; the quantity and value of the lands released; and the moneys paid into the treasury, or secured to the people of this State, on account of such releases.

[See Document No. 67.]

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ferred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Yates, Ontario and Steuben, praying for damages alleged to have been sustained by the diversion by the State of the waters of the outlet of the Crooked lake, were read, and referred to the committee on grievances.

The petition of sundry inhabitants of the counties of Westchester and Rockland, praying for the passage of a law authorising them to erect and maintain a ferry across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of John B. Herrishoff and others of the county of Lewis, praying that certain taxes paid by them may be refunded, was read, and referred to the Comptroller.

The petition of William H. Lacy and James Haggart, proprietors of the ferry from Black-Rock in the county of Erie, to Waterloo in Upper Canada, praying for the passage of an act authorising them to erect and maintain a drawbridge across Black-Rock harbor, was read, and referred to the Canal Commissioners.

The petition of Joseph Campbell of the county of Oneida, praying for remuneration for lands sold by the Surveyor-General, was read, and referred to the committee on grievances.

The petition of the Saratoga Manufacturing Company, praying for the passage of an act authorising the correction of a mistake in the tax-roll of the town of Saratoga, was read, and referred to the committee on the judiciary.

The petition of Nathan Bumpus of the town of Richland in the county of Oswego, praying compensation for part of lot twenty-eight in Freemason's patent in the town of Litchfield, Herkimer county, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the town of De Kalb in the county of St. Lawrence, praying for the passage of an act authorising the transfer of the common school fund of said town, was read, and referred to a select committee, consisting of Mr. King, Mr. W. S. Paddock and Mr. Adams.

The petition of Gilbert D. Dillon of the village of Kingston in the county of Ulster, praying remuneration for injury received by the accidental discharge of a field-piece, while on duty in obedience to the orders of the Adjutant-General, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Niagara, praying for an increase of the capital stock of the Lockport Bank, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Sullivan, praying for legislative aid in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of Jacob H. Failing of Oppenheim in the county of



Montgomery, praying compensation for damages alleged to have been sustained in consequence of a breach in the dam across the Mohawk river, constructed to supply the Erie canal with water, was read, and referred to the Canal Commissioners.

The remonstrance of sundry inhabitants of the county of Chango, against the appointment of a Supreme Court commissioner to reside in the village of Oxford in said county, was read, and referred to the committee on the judiciary.

Mr. Burke, from the committee on colleges, academies and common schools, to which was referred the petition of John Preston and others, relative to an improved manner of teaching schools, reported; and offered the following resolution:

[See Document No. 63.]

*Resolved*, That the petitioners have leave to withdraw their petition, and that the committee be discharged from the further consideration of the same.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I herewith transmit to you the annual report of the Adjutant-General.

W. L. MARCY.

*Albany, January 20, 1835.*

[See Document No. 211.]

*Ordered*, That the said report be referred to the committee on the militia and public defence.

A communication from William Dumont, an inspector of pot and pearl-ashes in the city of New-York, was received and read.

[See Document No. 68.]

*Ordered*, That the said communication be laid upon the table.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, in pursuance of the thirty-first section of the act entitled "An act concerning escheats," passed April 29th, 1823, submit herewith a statement of all the releases granted under that act, and the act amending the same; the names of the persons to whom they were granted; the quantity and value of the lands released; and the moneys paid into the treasury, or secured to the people of this State, on account of such releases.

[See Document No. 67.]

*Ordered*, That the said report be referred to the committee on public lands.

A communication from John Savage, Chief Justice, was received and read, in the words following, to wit:

*Albany, January 20, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

I have the honor to enclose a report, in answer to the resolution of the Honorable the Assembly of the fourteenth instant, calling for information in relation to the Supreme Court.

I have the honor to be,

With great respect,

Your obedient servant,

JOHN SAVAGE.

[See Document No. 58.]

*Ordered*, That the said report be referred to the committee on the judiciary.

*Ordered*, That four times the usual number of copies of the said report be printed for the use of the Legislature.

The Senate sent for concurrence, a bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the county of Chenango;" a bill entitled "An act relative to the Port-Kent and Hopkinton road," and a bill entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the county of Chenango," was referred to the committee on the judiciary; the bill entitled "An act relative to the Port-Kent and Hopkinton road," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies; and the bill entitled "An act authorising the the Phoenix cotton manufactory to continue a dam across the Susquehannah river," was referred to a select committee, consisting of the members attending this House from the county of Otsego.

Two several messages from the Senate were read, informing that they have rejected the bill entitled "An act authorising Samuel H. Newell to change his name," and the bill entitled "An act to change the name of Isaac Crabb."

A message from the Senate was read, informing that they have passed the bill entitled "An act relative to the court of general sessions of the county of Onondaga," with the amendment therewith delivered.

The said bill and amendment were read; and the amendment having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendment to the said bill, and amended the same accordingly.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the re-engrossed bill entitled "An act in relation to the Bowery savings bank in the city of New-York," and find the same correctly re-engrossed.

Thereupon,

The said re-engrossed bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 108 }  
{ NAYS 11 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. Healy	Mr. Phillips
Mr. Baker	Mr. Hendee	Mr. Philo
Mr. Barnes	Mr. Hicks	Mr. Plumb
Mr. Beecher	Mr. Hildreth	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Preston
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Blatchly	Mr. Hough	Mr. Seger
Mr. Brooks	Mr. Hutchinson	Mr. Shafer
Mr. A. Brown	Mr. Ingersoll	Mr. Shepard
Mr. G. Brown	Mr. Jackson	Mr. D. Sibley
Mr. Burhans	Mr. Jones	Mr. M. H. Sibley
Mr. Burke	Mr. Judd	Mr. Simmons
Mr. Barnum	Mr. Kent	Mr. Speaker
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. Livingston	Mr. C. Strong
Mr. A. Clark	Mr. Lockwood	Mr. E. Strong
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Benthuisen
Mr. Crowell	Mr. Moseley	Mr. Van Bergen
Mr. Davis	Mr. Murphy	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Warren
Mr. Denniston	Mr. Ogden	Mr. Wheeler
Mr. Eldred	Mr. Ostrom	Mr. Wilcoxson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodbury

Mr. Gray	Mr. Palmer	Mr. Woodward
Mr. Griswold	Mr. Parker	Mr. A. Woodworth
Mr. Groom	Mr. Patterson	Mr. W. Woodworth
Mr. Harvey	Mr. Peck	Mr. Wylie 108

Those who voted in the negative are

Mr. Carr	Mr. Herttell	Mr. Roosevelt
Mr. Clinch	Mr. Horton	Mr. Waldron
Mr. Cuykendall	Mr. Rice	Mr. Wetmore
Mr. J. Haskell	Mr. Ringgold	11

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. D. Sibley gave notice that he would, on some future day, ask leave to introduce a bill, fixing the time and place of holding town meetings in the town of Gates in the county of Monroe, and for other purposes.

Mr. M'Neil gave notice that he intended, at some future day, to ask leave to introduce a bill, to revive an act to vest certain powers in the freeholders and inhabitants in the village of Lewiston, passed April 17th, 1822.

On motion of Mr. M'Cluer,

*Resolved*, That the petitions for a bank, to be located in the village of Fredonia in the county of Chautauque, presented to this House at the last session, together with all papers on the files of the House relating to said application, be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

On motion of Mr. Dayan,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of so amending the thirty-eighth rule of this House, as to prohibit all amendments to the report of the committee, which were not offered in the committee of the whole house.

In pursuance of previous notice, Mr. Roosevelt asked for and obtained leave to bring in a bill, entitled "An act to prevent the circulation within this State of all bank notes of a less denomination than five dollars;" which was read the first time, and by unanimous consent was also read a second time.

Debates were had upon the reference of the said bill; and while the same was under consideration, the House adjourned till eleven o'clock to-morrow morning.

## THURSDAY, JANUARY 22, 1835.

The House met pursuant to adjournment.

Ten several petitions of sundry inhabitants of the counties of Tioga, Lewis, New-York, Oneida, Cortland, Cattaraugus, Saratoga, Genesee, Tompkins and Dutchess, praying for a repeal of the law of the last session, proscribing the practice of botanic physicians, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Allegany, praying that Andrew C. Hull and his associates may be constituted a body corporate, by the name and style of the Angelica Academy, for the purpose of establishing a seminary of learning, was read, and referred to the committee on colleges, academies and common schools.

The petition of Henry Van Patten of the county of Schenectady, praying compensation for the destruction of his well by the waters of the Erie canal, and for other purposes, was read, and referred to the committee on grievances.

The petition of James Bradt of the county of Schenectady, praying compensation for the destruction of his well by the waters of the Erie canal, was read, and referred to the committee on grievances.

The petition of Robert L. Livingston and others, praying for the incorporation of a company to construct a turnpike road, (with the privilege of placing rails thereon,) from the basin of the Esopus creek company to tide waters, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Two several petitions of sundry inhabitants of the county of Chenango, praying for the incorporation of a bank, to be located at Norwich in said county, by the name and style of the Wool-Growers' Bank, were read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Livingston and Monroe, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the village of Angelica in the county of Allegany, praying for the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Sullivan, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of the president and directors of the Hamilton and Skaneateles Turnpike Company, praying for an amendment of their

charter, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Holbrook Anderson of the town of Eaton in the county of Madison, praying for the passage of an act authorising John Johnson, an Indian of the Brothertown tribe, to convey to the petitioner a certain lot of land therein mentioned, was read, and referred to a select committee, consisting of Mr. Hough, Mr. J. Clark and Mr. Powers.

The petition of sundry inhabitants of the county of Herkimer, praying for the construction of a road around Fall hill in said county, by the State, was read, and referred to the committee on canals and internal improvements.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Samuel S. Lush of the city of Albany, praying to be refunded a certain sum of money out of the State treasury, which he paid therein for a certain lot of land purchased of the people of this State, and which has proved deficient in the number of acres, reported a bill, entitled "An act for the relief of Samuel S. Lush;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Dayan, from the committee on the judiciary, to which was referred the resolution of the House, instructing them to inquire into the expediency of so amending the thirty-eighth rule of this House, as to prohibit all amendments to the report of the committee which were not offered in committee of the whole house, reported:

[See Document No. 62.]

*Ordered*, That the said report be laid upon the table.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act relative to the Port-Kent and Hopkinton road," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Burns and Almond in the county of Allegany, praying that part of said town of Almond may be annexed to the town of Burns, reported a bill, entitled "An act to annex a part of the town of Almond in the county of Allegany, to the town of Burns in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the

Orphan Asylum Society of the city of Brooklyn, praying for an act of incorporation, reported a bill, entitled "An act to incorporate the Orphan Asylum Society of the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Krum, from the committee on the judiciary, to which was referred the petition of Charles Waggoner of the town of Palatine in the county of Montgomery, praying for an act authorising him to take the oath and hold the office of justice of the peace, reported; and offered the following resolution:

[See Document No. 64.]

*Resolved*, That the prayer of the petitioner ought not to be granted.

*Ordered*, That the said resolution be laid upon the table.

Mr. Roosevelt, from a majority of the committee on the judiciary, to whom it was referred to inquire into the expediency of changing the time of the annual meeting of the Legislature to the first Tuesday of December in each year, reported:

[See Document No. 61.]

*Ordered*, That the said report be committed to a committee of the whole house.

The annual report of John I. Morris of the city of New-York, was received and read.

[See Document No. 69.]

*Ordered*, That the said report be laid upon the table.

A communication from the Bank Commissioners was received and read, in the words following, to wit:

*Albany, January 22, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

We have the honor to send herewith the annual report required from us by law; and are,

Very respectfully,

Your obedient servants,

C. STEBBINS,  
GEORGE R. DAVIS,  
LEWIS EATON,

*Bank Commissioners.*

[See Document No. 74.]

*Ordered*, That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

[ASSEMBLY JOURNAL.]



**Ordered,** That four times the usual number of copies of the said report be printed for the use of the Legislature, and two hundred and fifty in addition for the use of the Bank Commissioners.

A communication from the Comptroller was received and read, in the words following, to wit:

COMPTROLLER'S OFFICE, }  
*Albany, Jan. 22, 1835.* }

The Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

In obedience to the requirements of the forty-second section, title nine of chapter nine of the first part of the Revised Statutes, I herewith transmit, for the information of the Legislature, a statement of the sums expended upon the several canals of the State, for the year ending 30th September, 1834.

I am, with great respect,

Your obedient servant,

A. C. FLAGG.

[See Document No. 216.]

**Ordered,** That the said report be referred to the committee on canals and internal improvements.

**Ordered,** That the committee on canals and internal improvements be discharged from the further consideration of the petition of sundry inhabitants of the county of Broome, praying for the passage of a law authorising the Canal Commissioners to construct a lock from the Chenango canal to the Chenango river; and that the same be referred to the Canal Commissioners.

Mr. M. H. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That his Excellency the Governor be requested to communicate to this House, any information he may possess in relation to the practices of some of our banks, of buying or selling drafts for the purpose of taking usury with impunity, or as a pretext for extortion, as stated in his message at the opening of the present session; and specifying, as far as he may be able, the particular banks against which the public have just grounds of complaint; to the end that such institutions as are not culpable, may be exonerated from the suspicion thus thrown upon the whole, and that this House may be enabled the better and more promptly to discharge its duty, by complying with the recommendations of his Excellency to correct the practices so justly censured by him, and all other practices inconsistent with fair dealings on the part of these institutions towards the public.

**Ordered,** That the said resolution be laid upon the table.

Thereupon,

Mr. Roosevelt made a motion that the House should agree to order the usual number of copies of the said resolution to be printed for the use of the Legislature.

Debates were had upon the said motion of Mr. Roosevelt; and the question being put whether the House would agree thereto, it was determined in the affirmative.

{ AYES 59 }  
{ NAYS 58 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Blatchly	Mr. Hillyer	Mr. Roosevelt
Mr. A. Brown	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. Burke	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burr	Mr. Jones	Mr. Simmons
Mr. Cash	Mr. Livingston	Mr. Speaker
Mr. C. Clark	Mr. Mahory	Mr. Springer
Mr. J. Clark	Mr. M'Cluer	Mr. C. Strong
Mr. Clinch	Mr. M'Kie	Mr. E. Strong
Mr. Conklin	Mr. M'Neil	Mr. Suffern
Mr. Crosby	Mr. Moore	Mr. Tillinghast
Mr. Farwell	Mr. Moseley	Mr. Tomlinson
Mr. Fisher	Mr. Murphy	Mr. Tyrrel
Mr. Griswold	Mr. Niles	Mr. Waldron
Mr. A. Hascall	Mr. Patterson	Mr. Wetmore
Mr. J. Haskell	Mr. Pettit	Mr. Wheeler
Mr. Healy	Mr. Phillips	Mr. Woodward
Mr. Hendee	Mr. Plumb	Mr. A. Woodworth
Mr. Herttell	Mr. Rice	Mr. W. Woodworth
Mr. Hildreth	Mr. Richmond	

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Those who voted in the negative are

Mr. Adams	Mr. Eldred	Mr. Palmer
Mr. Anthony	Mr. Gray	Mr. Parker
Mr. Baker	Mr. Groom	Mr. Peck
Mr. Barnes	Mr. Harvey	Mr. Philo
Mr. Beecher	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Preston
Mr. Bennet	Mr. Hough	Mr. Shafer
Mr. Brooks	Mr. Jackson	Mr. Stetson
Mr. Burhans	Mr. Judd	Mr. Stevens
Mr. Barnum	Mr. Kent	Mr. Thorn
Mr. Cadwell	Mr. King	Mr. Van Benthuisen
Mr. Carpenter	Mr. Krum	Mr. Van Bergen
Mr. A. Clark	Mr. Lockwood	Mr. Wager
Mr. Coe	Mr. Loomis	Mr. Warren
Mr. Crary	Mr. Lytle	Mr. Wilcoxson
Mr. Crowell	Mr. Ogden	Mr. Wilkinson
Mr. Cuykendall	Mr. Ostrom	Mr. Williams

Mr. Davis  
Mr. Dayan  
Mr. Denniston

Mr. P. W. Paddeck  
Mr. W. S. Paddock  
Mr. Woodbury  
Mr. Wylie

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[See Document No. 60.]

*Ordered*, That the usual number of copies of the resolution, with the recital, presented to the House on the seventh instant, relative to an amendment of the Constitution relative to the salt and auction duties, be printed for the use of the Legislature.

[See Document No. 59.]

On motion of Mr. Adams,

*Resolved*, That the Clerk of this House be authorised to deliver the petition of Jacob Van Dorn, praying remuneration for damages alleged to have been sustained in consequence of the construction of the dam across the Schoharie creek in the county of Montgomery, to the said petitioner.

*Ordered*, That the committee of the whole be discharged from the consideration of the bill entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make entries therein of judgments docketed in the court of of common pleas of said county;" and that the same be referred to a select committee, consisting of Mr. Wetmore, Mr. Rice and Mr. Roosevelt, to consider and report thereon.

The House then again proceeded to the consideration of the bill entitled "An act to prevent the circulation within this State of all bank notes of a less denomination than five dollars."

Thereupon,

*Ordered*, That the said bill be laid upon the table.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

On motion of Mr. Adams,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of sundry inhabitants of Washington county, praying that relief may be granted to Flynn Darby, for losses sustained in consequence of mismeasurement of certain excavation done by him on the Champlain canal; and that the same be referred to the Canal Commissioners.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Groom, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate returned the bill entitled "An act relative to the court of general sessions of the county of Onondaga."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have

passed the bill entitled "An act to authorise William Wood to keep erected a dam across the Canistota river," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

And then the House adjourned until eleven o'clock to-morrow morning.

## FRIDAY, JANUARY 23, 1835.

The House met pursuant to adjournment.

Mr. Finch, a member of Assembly, duly elected in and for the county of Orange, to fill the vacancy occasioned by the death of Robert Fowler, appeared in the Assembly chamber; and the oath prescribed by the Constitution of this State, having been duly administered to him by the Speaker,

*Ordered,* That Mr. Finch do take his seat.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for an extension of the Chenango canal from Binghamton in the county of Broome, to Owego in the county of Tioga, was read, and referred to the committee on canals and internal improvements.

The petition of Mary Johnston, widow of John Johnston deceased, late of the county of Cattaraugus, praying for the passage of a law authorising the heirs of said Johnston, an alien, to take and hold certain real estate, and for other purposes, was read, and referred to the committee on the petitions of aliens.

Two several petitions of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from the village of Auburn to the city of Rochester, were read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the town of Haverstraw in the county of Rockland, against the passage of an act authorising St. John Constant to establish a ferry between Peekskill and Caldwell's landing, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Kingsborough in the county of Montgomery, praying for the incorporation of the academy in said village, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the counties of Wayne and

Ontario, praying for the erection of a new county from parts of said counties, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a bank, by the name and style of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Jacob Trumpbour of the town of Saugerties in the county of Ulster, praying for compensation for services alleged to have been performed for the benefit of the people of this State, was read, and referred to the committee on claims.

The petition of James Averill of St. Johnsville in the county of Montgomery, praying compensation for damages alleged to have been sustained by a breach in a dam belonging to the people of this State, across the Mohawk river, was read, and referred to the Canal Commissioners.

Ten several petitions of sundry inhabitants of the counties of Saratoga, New-York, Dutchess, Genesee, Cortland, Clinton, Lewis, Oneida, Tompkins and Tioga, praying for a repeal of the law of last session prohibiting botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the towns of Brighton and Pittsford in the county of Monroe, praying for the passage of an act authorising the surplus waters of the Erie canal to be used for hydraulic purposes, was read, and referred to the Canal Commissioners.

Five several petitions of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from the termination of the Tonawanda rail-road, to Buffalo, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the village of Liverpool in the county of Onondaga, praying for the passage of an act authorising the superintendent of the salt springs to take water from the Oswego canal to propel pumps at said village, was read, and referred to the Canal Commissioners.

The petition of sundry inhabitants of the counties of Monroe, Livingston, Ontario and Genesee, praying for the incorporation of the Rochester and Charlotte Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Wayne, praying for a change in the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The remonstrance of sundry inhabitants of the town of Spafford in the county of Onondaga, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry

inhabitants of the town of Grove in the county of Allegany, praying for a division of said town, reported a bill, entitled "An act to divide the town of Grove in the county of Allegany;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burhans, from the committee on claims, to which was referred the petition of Joseph A. Norton, praying compensation for his services and disbursements in pursuing and apprehending certain fugitives from justice, reported; and asked leave to introduce a bill.

[See Document No. 66.]

*Ordered*, That leave be given to bring in such bill.

Mr. Burhans, according to leave, brought in the said bill, entitled "An act for the relief of Joseph A. Norton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the select committee to which was referred so much of the Governor's message as relates to an enumeration of the inhabitants of this State, reported; and asked leave to introduce a bill.

[See Document No. 65.]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled "An act to amend title sixth, chapter third, part first of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to authorise William Woods to keep erected a dam across the Canisteo river."

Also the bill entitled "An act relative to the court of general sessions of the county of Onondaga."

W. L. MARCY.

*Albany, January 23, 1835.*

The annual report of George Charles, an inspector of leather, was received and read.

[See Document No. 73.]

*Ordered*, That the said report be laid upon the table.

The annual report of C. P. Tappen, an inspector of flour in the city of New-York, was received and read.

[See Document No. 129.]

*Ordered*, That the said report be laid upon the table.

The annual report of John Lane, an inspector of flour in the city of New-York and county of Kings, was received and read.

[See Document No. 128.]

*Ordered*, That the said report be laid upon the table.

The annual report of I. Ingersoll, an inspector of beef and pork in the county of Madison, was received and read.

[See Document No. 72.]

*Ordered*, That the said report be laid upon the table.

A copy of two several resolutions of the Senate was received and read, in the words following, to wit:

*Resolved*, (the Assembly concurring herein,) That the Senators from this State in the Congress of the United States, be and they are hereby instructed to use their best efforts to cause to be expunged from the Journals of the Senate of the United States, the resolution of the 28th March, 1834, declaring, "That the President, in the late executive proceedings, in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

*Resolved*, That the Governor be requested to transmit a copy of the preceding resolution to each of the Senators from this State in the Congress of the United States.

*Ordered*, That the said resolutions be laid upon the table.

Mr. Patterson gave notice that he would, at some future day, ask leave to introduce a bill to amend the law in relation to the granting of licenses in the several towns and wards in this State.

On motion of Mr. Carr,

*Resolved*, That the Attorney-General be requested to report to this House, his opinion upon the question whether the several contracts for the labor of convicts in the State prisons may be legally modified or annulled.

On motion of Mr. Williams,

*Resolved*, That the select committee to whom was referred the petition of the inhabitants of the county of Onondaga, for an act to regulate the tolls, &c. on the canal at Baldwinsville, be discharged from the further consideration of the same, and that the petition be referred to the delegation from the county of Onondaga.

Mr. Wilkinson gave notice that he would, on some future day, ask leave to introduce a bill to repeal the fifth subdivision of section tenth of the "Act to abolish imprisonment for debt, and to punish fraudulent debtors," passed April 26th, 1831.



On motion of Mr. Livingston,

*Resolved*, That the Clerk purchase for the use of this House, twelve copies of Clark's Manual.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of Nathan Bumpus, relative to lot number twenty-eight in Freemason's patent in the county of Herkimer; and that the same be referred to the committee on grievances.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Groom, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

## SATURDAY, JANUARY 24, 1836.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the counties of Monroe, Livingston, Allegany, Genesee and Steuben, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The memorial of Holmes Hutchinson, praying relief relative to a survey made by him of certain of the canals of this State, was read, and referred to the Canal Board.

The petition of sundry inhabitants of the county of Onondaga, praying a reduction of tolls on the canal at Baldwinsville in said county, was read, and referred to a select committee, consisting of the members attending this House from the county of Onondaga.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of the Rochester and Charlotte Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of Luther Pardee and others of the county of Herkimer, praying for an amendment of the charter of the East Greek Turnpike Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of Peekskill in the county of Westchester, against the petition of St. John Constant for a ferry between that place and Caldwell's landing in the county of Rockland, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Avon in the county of Livingston, praying for an amendment of the electoral law, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Allegany, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge across the Genesee river in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Herkimer, praying for an appropriation from the State treasury, to construct a road around Fall-hill in said county, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of Peekskill, Westchester county, praying for the establishment of a ferry across the Hudson river, was read, and referred to the committee on the establishment of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the town of Great-Valley in the county of Cattaraugus, praying for an extension of the time allowed by law for the collection of taxes in said town, was read, and referred to a select committee, consisting of Mr. Burke, Mr. Burr and Mr. Moseley.

The petition of sundry inhabitants of the counties of Erie, Genesee, Allegany and Steuben, praying for the passage of an act authorising the appointment of commissioners to locate a road from Bath in the county of Steuben, to the city of Buffalo, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry citizens of Mount-Hope in the county of Orange, praying for the repeal of the law prohibiting botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

Two several petitions of sundry inhabitants of the county of

Chautauque, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tioga, praying for the repeal of the act entitled "An act to incorporate the Cayuga and Susquehannah turnpike company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Schoharie, praying for the passage of an act authorising the commissioners of highways in the town through which the Mountain turnpike road in said county passes, to district and work the same as other roads are worked in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Three several petitions of sundry inhabitants of the counties of Erie and Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, were read, and referred to the committee on rail-roads.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of Suffolk, praying for the incorporation of a company, by the name and style of the Peconick Navigation Company, for the purpose of improving the channel of the Peconick river, reported a bill, entitled "An act to incorporate the Peconick navigation company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of George Clark, praying for the passage of an act extending the period within which an application may be made for the appraisalment of damages on the Erie canal, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for authority to raise money by tax on said county, for repairing a certain road from Abbott's corners in Hamburg, to the bounds of the city of Buffalo in said county, reported a bill, entitled "An act authorising money to be raised by

tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Almond, Angelica and Alfred in the county of Allegany, praying for the erection of a new town from parts of said towns, reported a bill, entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hough, from the select committee to which was referred the petition of Holbrook Anderson, praying that John Johnson, an Indian of the Brothertown tribe of Indians, may be authorized by law to convey to him a certain lot of land therein mentioned, reported; and asked leave to introduce a bill.

[See Document No. 75.]

*Ordered*, That leave be given to bring in such bill.

Mr. Hough, according to leave, brought in the said bill, entitled "An act for the relief of Holbrook Anderson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the select committee to which was referred the bill entitled "An act to authorize the clerk of the city and county of New-York to procure a book of record, and transcribe judgments therein," reported:

[See Document No. 77.]

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water," and find the same correctly engrossed.

Thereupon,

*Ordered*, That the said bill be referred to the committee appointed in pursuance of the forty-seventh rule of this House.

The annual report of George W. Gunn, an inspector of beef and pork in the county of Cayuga, was received and read.

[See Document No. 82.]

*Ordered*, That the said report be laid upon the table.

The annual report of Eldridge Havens, an inspector of beef and pork in the county of Wayne, was received and read.

[See Document No. 78.]

*Ordered, That the said report be laid upon the table.*

The annual report of Gilbert Oakley, an inspector of beef and pork in the county of Westchester, was received and read.

[See Document No. 71.]

*Ordered, That the said report be laid upon the table.*

The annual report of D. Dedrick, an inspector of sole leather for the city and county of New-York, was received and read.

[See Document No. 81.]

*Ordered, That the said report be laid upon the table.*

The annual report of Messrs. Haff and Cooper, inspectors of sole leather for the city and county of New-York, was received and read.

[See Document No. 76.]

*Ordered, That the said report be laid upon the table.*

The annual report of Isaac Sherwood, an inspector of sole leather for the city and county of New-York, was received and read.

[See Document No. 79.]

*Ordered, That the said report be laid upon the table.*

A communication from the Canal Commissioners was received and read, in the words following, to wit:

*Albany, January 24, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly,*

SIR,

Herewith is transmitted to the Honorable the Assembly, the annual report of the Canal Commissioners.

With respect, your obedient servants,

S. VAN RENSSELAER,

W. C. BOUCK,

JONAS EARLL, JR.

MICHAEL HOFFMAN,

[See Document No. 85.]

*Ordered, That the said report be laid upon the table.*

*Ordered, That six times the usual number of copies of the said report be printed for the use of the Legislature, and two hundred and fifty in addition for the use of the Canal Commissioners.*

The Senate sent for concurrence, a bill entitled "An act to incorporate the United States naval lyceum," and a bill entitled "An act providing for the erection of a bridge over the Esopus creek."

The said bills were severally read the first time, and by unani-

mous consent were also read a second time, and the bill entitled "An act to incorporate the United States naval lyceum," was referred to the committee on colleges, academies and common schools; and the bill entitled "An act providing for the erection of a bridge over the Esopus creek," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, severally to consider and report thereon.

*Ordered*, That Mr. Hutchinson have leave of absence for nine days.

On motion of Mr. W. S. Paddock,

*Resolved*, That the Secretary of State furnish to the canal committee of this House, all surveys, maps, estimates and profiles in his possession, in relation to the Black river canal.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That a select committee be appointed, with power to send for persons and papers, to inquire into the improper practices alluded to in the Governor's message, on the part of some of the banks of this State; and that the committee report to this House the result of their investigations as soon as conveniently may be.

*Ordered*, That the said resolution be laid upon the table.

Mr. Parker gave notice that he would, on some future day, ask leave to introduce a bill to exempt females from imprisonment upon executions, if owed for costs only.

On motion of Mr. Hough,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of Henry Van Patten, and that the same be referred to the committee on claims.

*Ordered*, That the committee on canals and internal improvements be discharged from the further consideration of the petition of sundry owners of hydraulic works situated on the outlet of the Crooked lake in the county of Yates, and that the same be referred to the Canal Commissioners.

Mr. Livingston gave notice that he would hereafter ask leave to bring in an act to incorporate the Young Men's Association for mutual improvement in the city of Albany.

Thereupon,

In pursuance of the preceding notice, Mr. Livingston asked for, and by the unanimous consent of the House, obtained leave to introduce a bill, entitled "An act to incorporate the Young Men's association for mutual improvement in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on ways and means.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to supplying vacancies in the office of justices of the peace;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Moseley, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to the committee on privileges and elections.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. M. H. Sibley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to judgments in the superior court of the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Hough, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock on Monday morning next.

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## MONDAY, JANUARY 26, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the counties of Delaware, Steuben and Chautauque, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petition of Josiah Rawson and Robert Toan of the county of Oneida, praying for the passage of an act authorising the Commissioners of the Land-Office to convey to the petitioners a certain lot of land therein mentioned, was read, and referred to the committee on Indian affairs.

Three several petitions of sundry inhabitants of the counties of Chenango and Broome, praying for an extension of the Chenango canal from Binghamton to Owego, were read, and referred to the committee on canals and internal improvements.



The petition of James Mitchell of the county of Niagara, praying pecuniary relief in consequence of damages alleged to have been sustained while engaged in blasting on the Erie canal at the village of Lockport in said county, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a bank, to be located at Lockport in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the Oneida Lake Canal Company, praying for an increase of their capital stock, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of Whitestown in the county of Oneida, praying for the passage of a law authorising the appointment of a master in chancery, to reside at Whitesborough in said county, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Columbia, praying for the incorporation of a bank, to be located at Kinderhook in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Hazard Lewis and others of Binghamton in the county of Broome, praying for the incorporation of the Chenango Canal Bridge Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city of Hudson, praying for the passage of an act authorising them to raise money by tax on the inhabitants of said city, for the support of a public school therein, was read, and referred to a select committee, consisting of the members attending this House from the county of Columbia.

The petition of Henry N. Van Patten of Schenectady, praying compensation for constructing a bridge over the Erie canal, was read, and referred to the committee on claims.

The petition of Franklin Rose of the town of Sullivan in the county of Madison, praying remuneration for the deficiency of a certain lot of land therein mentioned, purchased of the State, was read, and referred to the committee on claims.

The remonstrance of sundry inhabitants of the county of Herkimer, against an alteration of the present law in regard to highways, so far as the same relates to the road from Schenectady to Utica, on the south side of the Mohawk river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Ulster, praying for the incorporation of a bank, to be located at the village of

Ulster in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Solomon Davis of Vernon in the county of Oneida, praying remuneration for improvements alleged to have been made on a certain lot of land therein mentioned, belonging to this State, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Charlotte, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the town of Chautauque in the county of Chautauque, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Onondaga, praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the village of Owego in the county of Tioga, praying for the incorporation of a bank, to be located at said village, was read, and referred to the committee on the charters of banking and insurance.

Of the counties of Monroe, incorporation of a company to Lockport, was read, and

and others of the city of Utica, of the Catholic Education of Utica, was read, and oration of charitable and reli-

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the directors of the village of Kingston, praying for an amendment of the charter of said village, reported a bill, entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Kingston,' passed April 6th, 1805, and of the acts amendatory to the same;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, to which was referred the engrossed bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water," reported, that in the opinion of the committee, the said bill does not require the votes of two-thirds of all the members elected to this House to pass the same into a law.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Thereupon,

The said bill was ordered to a third reading.

Mr. Cash, from the committee on ways and means, to which was referred the bill entitled "An act to incorporate the Young Men's association for mutual improvement in the city of Albany," reported:

[See Document No. 80.]

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the several matters in relation to banks, &c. in the message of his Excellency the Governor, have had under consideration that part of the message relating to the course of some banks, of exacting premiums on drafts as connected with the business of discounting, and thus obtaining a per cent of profit beyond the legal rate of interest; and have instructed their chairman to introduce the following resolution:

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to address interrogatories to the cashiers of the several banks under the Safety fund law, (except those in the city of New-York,) requiring immediate answers in writing to such interrogatories, under oath, touching the practice referred to in the Governor's message, of exacting premiums on drafts as connected with the practice of discounting.

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree to lay the said resolution upon the table.

Debates were had upon the motion of Mr. M. H. Sibley; and the question being put whether the House would agree thereto, it was determined in the negative.

{ NAYS 69 }  
{ AYES 42 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Anthony  
Mr. Baker  
Mr. Barnes  
Mr. Benjamin  
Mr. Burhans  
Mr. Barnum  
Mr. Cadwell

Mr. Griswold  
Mr. Groom  
Mr. Harvey  
Mr. Healy  
Mr. Hicks  
Mr. Hiller  
Mr. Hough

Mr. Preston  
Mr. Quackenboss  
Mr. Rice  
Mr. Ringgold  
Mr. Roosevelt  
Mr. Seger  
Mr. Shafer

Mr. Carpenter	Mr. Jackson	Mr. Shepard
Mr. Cash	Mr. Jones	Mr. Speaker
Mr. A. Clark	Mr. Judd	Mr. Springer
Mr. J. Clark	Mr. Kent	Mr. Stetson
Mr. Clinch	Mr. Krum	Mr. Suffern
Mr. Coe	Mr. Lockwood	Mr. Thora
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Murphy	Mr. Van Bergen
Mr. Crosby	Mr. Ogden	Mr. Wager
Mr. Crowell	Mr. P. W. Paddock	Mr. Warren
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Wetmore
Mr. Davis	Mr. Parber	Mr. Wilcoxson
Mr. Dayan	Mr. Peck	Mr. Wilkinson
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Eldred	Mr. Phillips	Mr. A. Woodworth
Mr. Fisher	Mr. Powers	Mr. Wylie 69

Those who voted in the affirmative are

Mr. Blatchly	Mr. Hildreth	Mr. Palmer
Mr. A. Brown	Mr. Hillyer	Mr. Patterson
Mr. G. Brown	Mr. Horton	Mr. Plumb
Mr. Burke	Mr. King	Mr. Richmond
Mr. Burr	Mr. J. W. Lewis	Mr. D. Sibley
Mr. Carr	Mr. T. Lewis	Mr. M. H. Sibley
Mr. C. Clark	Mr. Livingston	Mr. Simmons
Mr. Conklin	Mr. Loomis	Mr. C. Strong
Mr. Farwell	Mr. Mallory	Mr. E. Strong
Mr. Gray	Mr. M'Cluer	Mr. Tomlinson
Mr. A. Hascall	Mr. M'Kie	Mr. Tyrrel
Mr. J. Haskell	Mr. M'Neil	Mr. Waldron
Mr. Hendee	Mr. Moore	Mr. Wheeler
Mr. Herttell	Mr. Moseley	Mr. Woodward 42

And then the House adjourned until eleven o'clock to-morrow morning.

## TUESDAY, JANUARY 27, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the counties of Delaware and Chautauque, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road

from the village of Stafford in said county, to intersect the Tonawanda rail-road, was read, and referred to the committee on rail-roads.

Eight several petitions of sundry inhabitants of the counties of Dutchess, Madison, New-York, Lewis, Cortland, Saratoga and Oneida, praying a repeal of the law of the last session, proscribing botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the town of Richland in the county of Oswego, praying for the passage of an act authorising the erection of dams across Salmon river in said town, for hydraulic purposes, and repealing all former acts in relation to the fishery in said river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the managers of the New-York Institution for the blind, praying legislative aid in furtherance of the objects of the institution, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

Two several petitions of sundry inhabitants of the county of Allegany, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, were read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Broome, praying for the incorporation of a bank, to be located at Owego in the county of Tioga, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Erie and Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and referred to the committee on rail-roads.

Two several petitions of sundry inhabitants of the county of Ontario, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Manlius in the county of Onondaga, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of W. A. Bird and others of the county of Erie, praying for the passage of an act authorising the Comptroller to modify the lease of a certain water privilege at Black-Rock in said county, was read, and referred to the Canal Board.

The petition of sundry inhabitants of the county of Tompkins, praying relief from the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The remonstrance of John Brown of the city and county of Schenectady, against the petition of the Hudson and Mohawk Rail-

Road Company, for the passage of an act to improve the facilities of transshipping property at said city, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank, to be located in Cortland village in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Cortland, Cayuga and Tompkins, praying for the incorporation of a company to construct a rail-road from Auburn in the county of Cayuga, to Ithaca in the county of Tompkins, was read, and referred to the committee on rail-roads.

The petition of Ephraim Bogardus, praying remuneration for certain expenses alleged to have been incurred in the defence of the title to certain lands purchased of the State, was read, and referred to the committee on claims.

Two several petitions of sundry inhabitants of the counties of Yates, Ontario and Steuben, praying relief from the injurious effects of the canal upon the hydraulic works on the outlet of the Crooked lake, were read, and referred to the committee on grievances.

The House then proceeded to the consideration of the resolution heretofore reported by Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies; the same was again read, in the words following, to wit:

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to address interrogatories to the cashiers of the several banks under the Safety fund law, (except those in the city of New-York,) requiring immediate answers in writing to such interrogatories, under oath, touching the practice referred to in the Governor's message, of exacting premiums on drafts as connected with the business of discounting.

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree to amend the said resolution, by inserting the word "presidents" before the word "cashiers," where it occurs in the said resolution, and by adding thereto, at the end thereof, the following:

"And that such interrogations shall be so framed as to require from such cashiers and presidents respectively, to state explicitly and fully the practices and proceedings of such banks in relation to the discounting of such drafts, with the amount of such drafts, designating the years in which they have been so discounted: And also so as to require full and explicit information whether such banks have or have not discounted notes payable elsewhere than at the banks at which the same were discounted; and if elsewhere, then at what places the same were made payable; and whether it was directly or indirectly a requirement of such bank, or any officers thereof, that such notes should be made payable elsewhere

than at such banks, as a condition of discounting the same: And also whether such notes have in all instances been sent to the place of payment; and if not, whether, in any instance where that has not been so sent, any charges for postage, protest or other disbursement, have been charged or paid thereon: And also that such interrogatories be so framed as to require full and explicit information in relation to the amount of all notes or drafts which may have been so discounted at such banks respectively, and the years during which the same have been discounted; and whether any such notes, and what proportion of the same, have been paid directly or indirectly in the purchase of drafts of the banks at which such notes were discounted; what premium has been charged on such drafts, and the aggregate amount of premiums thus paid: Also that such interrogatories be so framed as to require such presidents and cashiers respectively to answer fully and explicitly, whether the aforesaid practices, if they have existed, have been known to the Bank Commissioners, or any of them; how long they have been so known; and what measures such Commissioners, or any of them, have taken to prevent such practices.

*"It is further resolved,* That such presidents and cashiers be, and they are hereby required to render prompt and full answers to such interrogatories."

Debates were had thereon; and while the same was under consideration, Mr. Roosevelt made a motion that the House should agree to a substitute for the said amendment, in the words following, to wit:

*"And also touching the practice, if any such exist, of causing their customers, when applying for loans, to make the notes offered for discount payable at a distant place, on which such banks may be in the habit of selling drafts at a premium; and also touching any other practices inconsistent with fair dealings on the part of these institutions towards the public.*

*"And it is further resolved,* That the said committee have power (should they find it necessary) to send for persons and papers; and that they report to this House the result of their investigations with all convenient speed."

Mr. Speaker put the question whether the House would agree to the adoption of the said substitute, and it was determined in the affirmative.

{ AYES 85 }  
{ NAYS 28 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Anthony  
Mr. Baker  
Mr. Barnes  
Mr. Benjamin

Mr. J. Haskell  
Mr. Healy  
Mr. Hendee  
Mr. Herttell

Mr. Phillips  
Mr. Philo  
Mr. Powers  
Mr. Preston



Mr. Burhans	Mr. Hicks	Mr. Quackenboss
Mr. Barnum	Mr. Hiller	Mr. Rice
Mr. Cadwell	Mr. Hillyer	Mr. Ringgold
Mr. Carpenter	Mr. Hough	Mr. Roosevelt
Mr. Cash	Mr. Jackson	Mr. Seger
Mr. A. Clark	Mr. Jones	Mr. Shafer
Mr. J. Clark	Mr. Judd	Mr. Shepard
Mr. Clinch	Mr. Kent	Mr. Speaker
Mr. Coe	Mr. King	Mr. Springer
Mr. Crain	Mr. Krum	Mr. Stetson
Mr. Crary	Mr. Livingston	Mr. Suffern
Mr. Crosby	Mr. Lockwood	Mr. Thorn
Mr. Crowell	Mr. Loomis	Mr. Tillinghast
Mr. Cuykendall	Mr. Lytle	Mr. Van Bergen
Mr. Davis	Mr. Mallory	Mr. Wager
Mr. Dayan	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Ogden	Mr. Wetmore
Mr. Eldred	Mr. Ostrom	Mr. Wheeler
Mr. Finch	Mr. P. W. Paddock	Mr. Wilcoxon
Mr. Fisher	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Gray	Mr. Palmer	Mr. Williams
Mr. Griswold	Mr. Parker	Mr. Woodbury
Mr. Groom	Mr. Peck	Mr. A. Woodworth
Mr. Harvey	Mr. Pettit	Mr. Wylie
Mr. A. Hascall		

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Those who voted in the negative are

Mr. Blatchly	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. G. Brown	Mr. M'Cluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Burr	Mr. M'Neil	Mr. E. Strong
Mr. Carr	Mr. Moore	Mr. Tomlinson
Mr. C. Clark	Mr. Niles	Mr. Tyrrel
Mr. Conklin	Mr. Patterson	Mr. Waldron
Mr. Farwell	Mr. Plumb	Mr. Woodward
Mr. Hildreth		

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On motion of Mr. Wilkinson, the said resolution was further amended, by adding before the word "cashiers" where it occurs in the original resolution, the word "presidents," and also by inserting after said "cashiers" the words "or other officers;" and further, on motion of Mr. Suffern, by adding after the foregoing substitute, the following:

*"And be it further resolved, That it shall be the duty of the chairman of said committee, to transmit two copies of the said resolution and interrogatories, by mail, directed to the sheriff of the respective counties in which said banks are located; whose duty it shall be, on the receipt thereof, forthwith to deliver one of them to the cashier or president of each and every bank in said county:*

be further duty of said sheriff to endorse on the nanner, and on whom he served the copy of said interrogatories, and forward the same by mail im-chairman of said committee.

*Further resolved*, That the said committee prepare ries with all convenient speed, and report the same to this House before sending them to the said officers."

Mr. Patterson made a motion that the House should agree further to amend the said resolution as amended, by adding thereto the following:

"And whether the aforesaid practices, if they have existed, have been known to the Bank Commissioners, or any of them; how long they have been so known, and what measures the said Commissioners have taken to prevent such practices."

Whereupon Mr. Lockwood moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Thereupon,

The said resolution, as amended, was again read, in the words following, to wit:

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to address interrogatories to the presidents and cashiers or other officers of the several banks under the Safety fund, (except those in the city of New-York,) requiring immediate answers in writing to such interrogatories, under oath, touching the practice referred to in the Governor's message, of exacting premiums on drafts as connected with the business of discounting; and also touching the practice, if any such exist, of causing their customers, when applying for loans, to make the notes offered for discount payable at a distant place, on which such banks may be in the habit of selling drafts at a premium; and also touching any other practices inconsistent with fair dealings on the part of these institutions towards the public.

*And it is further resolved*, That the said committee have power (should they find it necessary) to send for persons and papers, and that they report to this House the result of their investigations with all convenient speed.

*And be it further resolved*, That it shall be the duty of the chairman of the said committee to transmit two copies of the said resolution and interrogatories, by mail, directed to the sheriff of the respective counties in which said banks are located; whose duty it shall be, on the receipt thereof, forthwith to deliver one of them to the cashier or president of each and every bank in said county: And it shall be the further duty of said sheriff to endorse on the other the time, manner, and on whom he served the copy of said resolution and interrogatories, and forward the same by mail immediately to the chairman of said committee.

*And be it further resolved*, That the said committee prepare such interrogatories with all convenient speed, and report the same to this House before sending them to the said officers.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

{ AYES 107 }  
{ NAYS 05 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Anthony	Mr. Hendee	Mr. Powers
Mr. Baker	Mr. Hertteli	Mr. Preston
Mr. Barnes	Mr. Hicks	Mr. Quackenbush
Mr. Benjamin	Mr. Hiller	Mr. Rice
Mr. G. Brown	Mr. Hillyer	Mr. Ringgold
Mr. Burhans	Mr. Horton	Mr. Roosevelt
Mr. Burke	Mr. Hough	Mr. Seger
Mr. Barnum	Mr. Jackson	Mr. Shafer
Mr. Cadwell	Mr. Jones	Mr. Shepard
Mr. Carpenter	Mr. Judd	Mr. D. Sibley
Mr. Carr	Mr. Kent	Mr. M. H. Sibley
Mr. Cash	Mr. King	Mr. Simmons
Mr. A. Clark	Mr. Krum	Mr. Speaker
Mr. C. Clark	Mr. T. Lewis	Mr. Springer
Mr. I. Clark	Mr. Livingston	Mr. Stetson
Mr. Clinch	Mr. Lockwood	Mr. C. Strong
Mr. Cee	Mr. Loomis	Mr. E. Strong
Mr. Conklin	Mr. Lytle	Mr. Suffern
Mr. Craia	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Kie	Mr. Tillinghast
Mr. Crosby	Mr. M'Neil	Mr. Tomlinson
Mr. Crowell	Mr. Moore	Mr. Tyrrel
Mr. Cuykendall	Mr. Murphy	Mr. Van Bergea
Mr. Davis	Mr. Niles	Mr. Wager
Mr. Dayan	Mr. Ogden	Mr. Waldron
Mr. Denniston	Mr. Ostrom	Mr. Warren
Mr. Eldred	Mr. P. W. Paddock	Mr. Wetmore
Mr. Finch	Mr. W. S. Paddock	Mr. Wheeler
Mr. Fisher	Mr. Palmer	Mr. Wilcoxson
Mr. Gray	Mr. Parker	Mr. Wilkinson
Mr. Griswold	Mr. Patterson	Mr. Williams
Mr. Groom	Mr. Peck	Mr. Woodbury
Mr. Harvey	Mr. Pettit	Mr. Woodward
Mr. A. Hascall	Mr. Phillips	Mr. A. Woodworth
Mr. J. Haskell	Mr. Philo	Mr. Wylie
Mr. Healy	Mr. Plumb	

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Those who voted in the negative are

Mr. Blatchly	Mr. Barr	Mr. McCluer
Mr. A. Brown	Mr. Hildreth	

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*Ordered*, That four times the usual number of copies of the said resolutions be printed for the use of the Legislature.

[See Document No. 96.]

A communication from William Campbell was received and read, in the words following, to wit:

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

I have received the joint resolution of the Legislature, appointing me Surveyor-General. Be pleased to present to the body over which you preside, my acceptance of that office, together with the expression of my gratitude for the confidence reposed in me.

I remain yours respectfully,

WILLIAM CAMPBELL.

*Albany, January 24, 1835.*

*Ordered*, That the said communication be laid upon the table.

A communication from the Comptroller was received and read, in the words following, to wit:

The Comptroller, to whom was referred by the Assembly, the petition of John B. Herrishoff, agent for John Brown, Francis and Sarah Herrishoff, respectfully reports:

[See Document No. 90.]

*Ordered*, That the said report be referred to the committee on claims.

A communication from the Canal Board was received and read, in the words following, to wit:

The Canal Board, in answer to the following resolution from the Assembly, to wit:

*Resolved*, That the Canal Board be requested to communicate to the House of Assembly, the proceedings which have been had by or before said Board, upon the application of Samuel Farwell for compensation for labor done and materials furnished upon the Erie canal; particularly whether the said Board has allowed all or any part of such claim, with the reasons for the allowance or disallowance of the same or any part thereof."

Respectfully report:

[See Document No. 86.]

*Ordered*, That the said report be referred to the committee on claims.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of a number of inhabitants of the county of Monroe, respectfully report:

[See Document No. 83.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

The annual report of Benjamin Heartt, an inspector of leather in the city of New-York, was received and read.

[See Document No. 88.]

*Ordered*, That the said report be laid upon the table.

The report of Richard M'Carty, flour inspector in the city of New-York and county of Kings, from the first of January to the twenty-first of February, 1834, was received and read.

[See Document No. 156.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of J. Rudes, an inspector of pot and pearl-ashes in the city of Albany, was received and read.

[See Document No. 84.]

*Ordered*, That the said report be laid upon the table.

The annual report of B. Van Benthuisen, an inspector of leather in the city of Albany, was received and read.

[See Document No. 179.]

*Ordered*, That the said report be laid upon the table.

And then the House adjourned till eleven o'clock to-morrow morning.

## WEDNESDAY, JANUARY 28, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

Seven several petitions of sundry inhabitants of the counties of Niagara, Albany, Rensselaer, Delaware, Lewis, Oneida and Tioga, praying for a repeal of the law of last session, proscribing botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Chenango, praying for an extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of Rebecca L. Parker, together with the wardens and vestry of St. John's Church of Delhi in the county of Delaware, praying for a confirmation of the will of Daniel Cameron deceased, was read, and referred to a select committee, consisting of Mr. Wager, Mr. Wetmore and Mr. Van Bergen.

The petition of William Thompson and Marion Thompson his wife, of the county of Delaware, praying for the passage of an act authorising them to take and hold the property of Daniel Cameron, who died without heirs, was read, and referred to the select committee on that subject, of which Mr. Wager is chairman.

The petition of the minister, elders and deacons of the Second Protestant Reformed Dutch Church in the city of Albany, praying for an amendment of their charter, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry dealers in flour and meal in the city of New-York, praying for an alteration of the law regulating the inspection of flour and meal in said city, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Queens, praying for the passage of an act authorising the building of a new court-house and jail in said county, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Suffern.

The petition of the board of supervisors of the county of Dutchess, praying for the passage of an act in relation to compensating the district attorney of said county for his services, was read, and referred to the committee on the judiciary.

The petition of Anthony Rhodes and others of the county of Herkimer, praying relief in relation to two lots of land therein mentioned, sold by the State, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the counties of Genesee, Erie and Monroe, praying for the incorporation of a company to construct a rail-road from Batavia in the county of Genesee, to the city of Buffalo, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the town of Elbridge, against the passage of an act authorising the appointment of commissioners to locate a road from Skaneateles to Camillus, was read, and committed to the committee of the whole when on the bill to which it relates.

The remonstrance of sundry inhabitants of the town of Minden in the county of Montgomery, against the passage of an act authorising the appointment of a superintendent of the road on the south side of the Mohawk river, between Utica and Schenectady, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of sundry inhabitants of the county of Delaware, praying for the incorporation of the Delaware Literary and Religious Institute, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the counties of Chenango and Cortland, praying for the incorporation of a company to construct a turnpike road from the village of Oxford in the county of Chenango, to the village of Cortland in the county of Cortland, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Ontario and Wayne, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the United States naval lyceum," reported, that the committee had examined the said bill, and are unanimously of the opinion that the same ought not to be passed into a law.

*Ordered;* That the said bill be committed to a committee of the whole house.

Mr. Dayan, from the committee on ways and means, to which was referred the resolution of the House, instructing them to inquire into the expediency of so amending the act entitled "An act to subject certain debts owing to non-residents, to taxation," passed April 27th, 1833, as to exempt from taxation debts owing to citizens of any of the United States for loans of money to citizens of this State, not connected with or growing out of any other contract, reported; and offered the following resolution:

[See Document No. 87.]

*Resolved,* That the committee on ways and means be discharged from the further consideration of the said resolution so referred to them.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Spafford, Skaneateles and Marcellus, praying that part of the said town of Spafford may be annexed to the said towns of Skaneateles and Marcellus in the county of Onondaga, reported, that the committee are of the opinion that the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike

companies, to which was referred the petition of sundry inhabitants of the towns of Van Buren and Lysander in the county of Onondaga, praying for the passage of an act to authorise James L. Voorhis and Asher Tappen to erect a toll-bridge across the Seneca river, reported a bill, entitled "An act authorising James L. Voorhis and Asher Tappen to erect a toll-bridge across the Seneca river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual report of Andrew Wilson, an inspector of beef and pork in the city of New-York, was received and read.

[See Document No. 165.]

*Ordered*, That the said report be laid upon the table.

The annual report of Philo Lewis, an inspector of provisions in the city and county of New-York, was received and read.

[See Document No. 155.]

*Ordered*, That the said report be laid upon the table.

The annual report of Hiram Scofield, an inspector of fish in the city and county of New-York, was received and read.

[See Document No. 157.]

*Ordered*, That the said report be laid upon the table.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, in pursuance of the resolution of yesterday, reported the following interrogatories:

1st. Has the bank of which you are an officer, when applied to for the discount of paper, compelled, required, encouraged, or recommended, directly or indirectly, the person so applying, to make his paper payable at places on which your bank was in the habit of selling drafts at a premium?

2d. Has your bank refused to make discounts unless the paper so offered was made payable at Albany or New-York?

3d. Has your bank discounted paper payable at either Albany or New-York; the officers of the bank, or any of them; knowing or having reason to believe, that the person properly liable for the payment of such paper, would not have funds at its maturity, at the place of payment?

4th. Has your bank discounted such paper, payable at Albany or New-York, the officers of the bank, or any of them; knowing or having reason to believe, or expect that the person obtaining the discount, would, previous to, or at the maturity of his paper, purchase of your institution a draft to be used in the payment of such paper so discounted by you?

5th. Has your bank discounted such paper, payable at either Albany or New-York, under an express understanding or arrange-



ment with the person obtaining the discount, that he or any other person, should, at the maturity of the paper, purchase of your bank a draft on the place at which his paper was so payable?

6th. Has your bank discounted a draft or note, the offices of the bank, or any of them, knowing or having reason to believe that the proceeds of such draft or note would be applied to the purchase of a draft from your institution at a premium; to be used for the purpose of taking up a previously discounted draft or note belonging to your institution?

7th. Has your bank sold a draft or drafts, the officers of the bank, or any of them, knowing or having reason to believe that the draft or drafts so sold, were to be used or applied to the payment of any note or draft due to your bank, and payable at Albany or New-York?

8th. What amount has been received by your bank for premiums on drafts sold by you during the last year?

9th. What proportion of the drafts sold by your bank during the last year, has been applied as payment upon debts, notes or drafts due to your bank?

10th. In how many instances has your bank, during the last year, sold drafts to be used by the purchaser in paying notes, drafts or debts due to your bank?

11th. Has your bank ever discounted paper, the officers of the bank, or any of them, expecting, or having reason to believe that your bank would be enabled to sell to the person obtaining the discount, a draft at a premium, to be used by him in the payment of his discounted paper?

12th. Has your bank, in all instances, sent or remitted the paper discounted by it, to the place of payment?

13th. In any instance when you have not so sent the discounted paper to the place at which it was payable, has your bank or any of its officers required or received the premium on a draft or drafts upon the place where such paper was payable?

14th. Has your bank, when such discounted paper has not been sent to the place of payment, required or received the payment of any charges for postage, protest or other disbursements, as connected with, or claimed, as accruing upon such discounted paper?

15th. How long has your bank pursued the business of requiring the paper of your customers, or a portion of them, to be made payable at Albany or New-York, and of selling drafts to pay such paper?

16th. If you have desisted from this kind of business, when did you so desist?

17th. Have you, as an officer of the bank, been admonished or advised, that the business of requiring paper payable at a distant place, for the purpose of enabling the bank to sell a draft to take up such paper, was improper, and should be discontinued?

18th. Have you used the funds of your bank, or procured money from your bank, with which you have, for your private benefit, purchased paper at a discount beyond the legal rate?

19th. How many notes or drafts has your bank received or dis-

counted within the ninety days next preceding January 1st, 1835, which are payable at Albany or New-York?

20th. Has your bank appointed, authorized, or in any manner employed an agent or agents, for the purpose of procuring, recommending, or receiving paper for discount, with the understanding on the part of the bank, or any of its officers, that such agent should charge to, or receive from the person applying for, or obtaining the discount, any commission or compensation for the services of such agent; and if so, at what rate?

21st. Has your bank, by any of the practices alluded to in the foregoing interrogatories, or by any other means, (and if so, by what means,) adopted a course of business, with the intention on the part of its officers, or any of them, of receiving more than the legal rate on paper discounted by you?

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree to lay the said report upon the table.

Debates were had thereon; and the question being put whether the House would agree thereto, it was determined in the negative.

{ NAYS 84 }  
{ AYES 32 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Fisher	Mr. Phillips
Mr. Anthony	Mr. Gray	Mr. Philo
Mr. Baker	Mr. Griswold	Mr. Preston
Mr. Barnes	Mr. Groom	Mr. Quackenboss
Mr. Beecher	Mr. Harvey	Mr. Rice
Mr. Benjamin	Mr. J. Haskell	Mr. Ringgold
Mr. Burhans	Mr. Healy	Mr. Roosevelt
Mr. Barnum	Mr. Herttell	Mr. Seger
Mr. Cadwell	Mr. Hiller	Mr. Shafer
Mr. Carpenter	Mr. Hough	Mr. Shepard
Mr. Cash	Mr. Jackson	Mr. Speaker
Mr. A. Clark	Mr. Jones	Mr. Springer
Mr. C. Clark	Mr. Judd	Mr. Stetson
Mr. J. Clark	Mr. Kent	Mr. Suffern
Mr. Clinch	Mr. King	Mr. Thorn
Mr. Coe	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Conklin	Mr. Livingston	Mr. Van Benthuisen
Mr. Crain	Mr. Lockwood	Mr. Van Bergen
Mr. Crary	Mr. Loomis	Mr. Wager
Mr. Crosby	Mr. Lytle	Mr. Warren
Mr. Crowell	Mr. Murphy	Mr. Wetmore
Mr. Cuykendall	Mr. Ogden	Mr. Wheeler
Mr. Davis	Mr. Ostrom	Mr. Wilcoxson

Mr. Dayan	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Denniston	Mr. Palmer	Mr. Williams
Mr. Eldred	Mr. Parker	Mr. Woodbury
Mr. Farwell	Mr. Peck	Mr. A. Woodworth
Mr. Finch	Mr. Pettit	Mr. Wythe 84

Those who voted in the affirmative are

Mr. Blatchly	Mr. Horton	Mr. Plumb
Mr. A. Brown	Mr. Krum	Mr. Richmond
Mr. G. Brown	Mr. T. Lewis	Mr. D. Sibley
Mr. Burke	Mr. Mallory	Mr. M. H. Sibley
Mr. Burr	Mr. M'Cluer	Mr. Simmons
Mr. Carr	Mr. M'Kie	Mr. C. Strong
Mr. A. Hascall	Mr. M'Neil	Mr. E. Strong
Mr. Hendee	Mr. Moore	Mr. Tomlinson
Mr. Hicks	Mr. Moseley	Mr. Tyrrel
Mr. Hildreth	Mr. Niles	Mr. Waldron
Mr. Hillyer	Mr. Patterson	Mr. Woodward 83

Thereupon,

The said report was amended, by inserting the following as the 21st, 22d, 23d and 24th of the said interrogatories:

21st. Is your bank in the practice, directly or indirectly, of requiring those who obtain discounts from it, to make their payments in the notes of banks other than your own; and if so, for what reason?

22d. Has any paper been presented at your bank for discount, been declined or refused, and the same subsequently presented by a broker or any other person, and discounted; and has any officer of your bank participated, directly or indirectly, in the profits of the endorsement or brokerage of any such paper, or any other paper presented at your bank for discount?

23d. Have any loans been made by discount or otherwise, to any broker for the business of exchange or brokerage, in which any officer of your bank was interested directly or indirectly; and if so, what is the amount of such loans for the ninety days next preceding January 1, 1835?

24th. Has your bank employed any broker or brokers, or other person or persons in the city of New-York or elsewhere, and furnished him or them with funds for the purchase, at a discount of the bills of your bank with a view to gain?

So that the said interrogatories, as amended, should read as follows:

1st. Has the bank of which you are an officer, when applied to for the discount of paper, compelled, required, encouraged, or recommended, directly or indirectly, the person so applying, to make his paper payable at places on which your bank was in the habit of selling drafts at a premium?

2d. Has your bank refused to make discounts unless the paper so offered was made payable at Albany or New-York?

3d. Has your bank discounted paper payable at either Albany or New-York; the officers of the bank, or any of them; knowing or having reason to believe, that the person properly liable for the payment of such paper, would not have funds at its maturity, at the place of payment?

4th. Has your bank discounted such paper, payable at Albany or New-York, the officers of the bank, or any of them; knowing or having reason to believe, or expect that the person obtaining the discount, would, previous to, or at the maturity of his paper, purchase of your institution a draft to be used in the payment of such paper so discounted by you?

5th. Has your bank discounted such paper, payable at either Albany or New-York, under an express understanding or arrangement with the person obtaining the discount, that he or any other person, should, at the maturity of the paper, purchase of your bank a draft on the place at which his paper was so payable?

6th. Has your bank discounted a draft or note, the officers of the bank, or any of them, knowing or having reason to believe that the proceeds of such draft or note would be applied to the purchase of a draft from your institution at a premium; to be used for the purpose of taking up a previously discounted draft or note belonging to your institution?

7th. Has your bank sold a draft or drafts, the officers of the bank, or any of them, knowing or having reason to believe that the draft or drafts so sold, were to be used or applied to the payment of any note or draft due to your bank, and payable at Albany or New-York?

8th. What amount has been received by your bank for premiums on drafts sold by you during the last year?

9th. What proportion of the drafts sold by your bank during the last year, has been applied as payment upon debts, notes or drafts due to your bank?

10th. In how many instances has your bank, during the last year, sold drafts to be used by the purchaser in paying notes, drafts or debts due to your bank?

11th. Has your bank ever discounted paper, the officers of the bank, or any of them, expecting, or having reason to believe that your bank would be enabled to sell to the person obtaining the discount, a draft at a premium, to be used by him in the payment of his discounted paper?

12th. Has your bank, in all instances, sent or remitted the paper discounted by it, to the place of payment?

13th. In any instance when you have not so sent the discounted paper to the place at which it was payable, has your bank or any of its officers required or received the premium on a draft or drafts upon the place where such paper was payable?

14th. Has your bank, when such discounted paper has not been sent to the place of payment, required or received the payment of

any charges for postage, protest or other disbursements, as connected with, or claimed, as accruing upon such discounted paper?

15th. How long has your bank pursued the business of requiring the paper of your customers, or a portion of them, to be made payable at Albany or New-York, and of selling drafts to pay such paper?

16th. If you have desisted from this kind of business, when did you so desist?

17th. Have you, as an officer of the bank, been admonished or advised, that the business of requiring paper payable at a distant place, for the purpose of enabling the bank to sell a draft to take up such paper, was improper, and should be discontinued?

18th. Have you used the funds of your bank, or procured money from your bank, with which you have, for your private benefit, purchased paper at a discount beyond the legal rate?

19th. How many notes or drafts has your bank received or discounted within the ninety days next preceding January 1st, 1835, which are payable at Albany or New-York?

20th. Has your bank appointed, authorized, or in any manner employed an agent or agents, for the purpose of procuring, recommending, or receiving paper for discount, with the understanding on the part of the bank, or any of its officers, that such agent should charge to, or receive from the person applying for, or obtaining the discount, any commission or compensation for the services of such agent; and if so, at what rate?

21st. Is your bank in the practice, directly or indirectly, of requiring those who obtain discounts from it, to make their payments in the notes of banks other than your own; and if so, for what reason?

22d. Has any paper been presented at your bank for discount, been declined or refused, and the same subsequently presented by a broker or any other person, and discounted; and has any officer of your bank participated, directly or indirectly, in the profits of the endorsement or brokerage of any such paper, or any other paper presented at your bank for discount?

23d. Have any loans been made by discounts or otherwise, to any broker for the business of exchange or brokerage, in which any officer of your bank was interested, directly or indirectly; and if so, what is the amount of such loans for the ninety days next preceding January 1, 1835?

24th. Has your bank employed any broker or brokers or other person or persons in the city of New-York or elsewhere, and furnished him or them with funds for the purchase, at a discount, of the bills of your bank with the view to gain?

25th. Has the bank, of which you are an officer, or any of its officers made it a condition, directly, indirectly or impliedly, of the discounting of any note, draft or other evidence of debt, that the borrower should receive therefor, the notes or bills of other bank or banks, at par—which notes were not at the time current or of par value at your bank; or the notes or bills of banks out of the United States, or out of this State, which were not at the

time current and bankable at your institution? If yea, have such depreciated notes or bills been received or taken by such borrower of your bank, or any officer or officers thereof, at par, in pursuance of such understanding or condition? What amount of such depreciated paper has been so paid out by your bank or any of its officers or agents on behalf, or for the benefit of the bank? What was the current value of such paper at the counter of your bank at the time it was so paid out? What was the current value of it at the town, city or village where it was so paid out? And was the same received or taken by your bank, or any of its officers, or agents, on behalf or for the benefit of your bank, at less than par; and if so, at what per cent discount?

26th. Has your bank, by any of the practices alluded to in the foregoing interrogatories, or by any other means, (and if so, by what means,) adopted a course of business, with the intention on the part of its officers, or any of them, of receiving more than the legal rate on paper discounted by you?

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree farther to amend the said report, by adding as the 25th of the said interrogatories, the following:

"Were or were not the practices referred to in the foregoing interrogatories, known to the Bank Commissioners, or any of them? If yea, how long have they been so known; what measures have been adopted by them, or any of them, to arrest such practices; and what means, if any, have been adopted by the banks to evade those measures?"

Whereupon Mr. Judd moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 76 }  
{ NAYS 40 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Palmer
Mr. Anthony	Mr. Gray	Mr. Parker
Mr. Baker	Mr. Groom	Mr. Peck
Mr. Barnes	Mr. Harvey	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hicks	Mr. Philo
Mr. Burhans	Mr. Hiller	Mr. Preston
Mr. Barnum	Mr. Hough	Mr. Quackenboss
Mr. Cadwell	Mr. Ingersoll	Mr. Rice
Mr. Carpenter	Mr. Jackson	Mr. Ringgold
Mr. Carr	Mr. Jones	Mr. Seger
Mr. Cash	Mr. Judd	Mr. Shafer

Mr. A. Clark	Mr. Kent	Mr. Shepard
Mr. Clinch	Mr. King	Mr. Speaker
Mr. Coe	Mr. Krum	Mr. Stetson
Mr. Conklin	Mr. J. W. Lewis	Mr. Suffern
Mr. Crain	Mr. Livingston	Mr. Thorn
Mr. Crary	Mr. Lockwood	Mr. Van Benthuisen
Mr. Crosby	Mr. Loomis	Mr. Van Bergen
Mr. Crowell	Mr. Lytle	Mr. Wager
Mr. Cuykendall	Mr. Mallory	Mr. Warren
Mr. Davis	Mr. Murphy	Mr. Wetmore
Mr. Dayan	Mr. Ogden	Mr. Wilcoxson
Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Finch		

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Those who voted in the negative are

Mr. Blatchly	Mr. Horton	Mr. M. H. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. Simmons
Mr. G. Brown	Mr. M'Cluer	Mr. Springer
Mr. Burke	Mr. M'Kie	Mr. E. Strong
Mr. Burr	Mr. M'Neil	Mr. Tillinghast
Mr. C. Clark	Mr. Moore	Mr. Tomlinson
Mr. J. Clark	Mr. Moseley	Mr. Tyrrel
Mr. Griswold	Mr. Nilps	Mr. Waldron
Mr. A. Hascall	Mr. Patterson	Mr. Wheeler
Mr. J. Haskell	Mr. Plumb	Mr. Woodbury
Mr. Hendee	Mr. Richmond	Mr. Woodward
Mr. Herttell	Mr. Roosevelt	Mr. A. Woodworth
Mr. Hildreth	Mr. D. Sibley	Mr. Wylie
Mr. Hillyer		

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Mr. Speaker put the question whether the House would agree with the committee in their report as amended, and it was determined in the affirmative.

{ AYES 116 }  
{ NAYS 00 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Adams	Mr. Healy	Mr. Philo
Mr. Anthony	Mr. Hendee	Mr. Plumb
Mr. Baker	Mr. Herttell	Mr. Preston
Mr. Barnes	Mr. Hicks	Mr. Quackenboss
Mr. Beecher	Mr. Hildreth	Mr. Rice
Mr. Benjamin	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Ringgold
Mr. A. Brown	Mr. Horton	Mr. Roosevelt

Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Ingersoll	Mr. Shafer
Mr. Burke	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. D. Sibley
Mr. Cadwell	Mr. Judd	Mr. M. H. Sibley
Mr. Carpenter	Mr. Kent	Mr. Simmons
Mr. Carr	Mr. King	Mr. Speaker
Mr. Cash	Mr. Krum	Mr. Springer
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stetson
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Clinch	Mr. Lockwood	Mr. Suffern.
Mr. Coe	Mr. Loomis	Mr. Thorn
Mr. Conklin	Mr. Lytle	Mr. Tillinghast
Mr. Crain	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Cluer	Mr. Tyrrel
Mr. Crosby	Mr. M'Kie	Mr. Van Benthuisen
Mr. Crowell	Mr. M'Neil	Mr. Van Bergen
Mr. Cuykendall	Mr. Moore	Mr. Wager
Mr. Davis	Mr. Moseley	Mr. Waldron
Mr. Dayan	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Niles	Mr. Wetmore
Mr. Eldred	Mr. Ogden	Mr. Wheeler
Mr. Finch	Mr. Ostrom	Mr. Wilcoxson
Mr. Fisher	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Gray	Mr. Palmer	Mr. Williams
Mr. Griswold	Mr. Parker	Mr. Woodbury
Mr. Groom	Mr. Patterson	Mr. Woodward
Mr. Harvey	Mr. Peck	Mr. A. Woodworth
Mr. A. Hascall	Mr. Pettit	Mr. Wylie
Mr. J. Haskell	Mr. Phillips	

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Thereupon,

*Ordered*, That four times the usual number of copies of the said resolution of yesterday, and the said interrogatories, be printed for the use of the Legislature.

[See Document No. 96.]

On motion of Mr. Ogden,

*Resolved*, That the question on agreeing to the resolution of yesterday, reported by Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, instructing said committee to address interrogatories to the presidents and cashiers or other officers of the several banks under the Safety fund, touching the practice referred to in the Governor's message, of exacting premiums on drafts, &c. as the same was amended by the House, be reconsidered.

Thereupon,

On motion of Mr. Ogden, the said resolution was amended, by striking out of the same so much thereof as makes it the duty of



the chairman of the committee on the incorporation and alteration of the charters of banking and insurance companies, to transmit two copies of the said resolution and interrogatories, by mail, directed to the sheriffs of the respective counties in which said banks are located; whose duty it shall be, on the receipt thereof, forthwith to deliver one of them to the cashier or president of each and every bank in said county: And that it shall be the further duty of said sheriff to endorse on the other the time, manner, and on whom he served the copy of said resolution and interrogatories, and forward the same by mail immediately to the chairman of said committee.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

And then the House adjourned until eleven o'clock to-morrow morning.

## THURSDAY, JANUARY 29, 1835.

The House met pursuant to adjournment.

The petition of sundry manufacturers, mechanics and citizens generally of the town of Whitesborough in the county of Oneida, praying legislative relief in relation to oppressive practices in certain manufacturing establishments, was read, and referred to the committee on trade and manufactures.

Two several petitions of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Columbia, praying a repeal of the law of the last session, proscribing botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Madison, praying for an extension of the west branch feeder of the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Onondaga, praying for an alteration in the present State prison system, was read, and referred to the committee on State prisons.

The petition of sundry inhabitants of the town of Sullivan in the county of Madison, praying for the passage of an act authorising said town to raise money by tax, to improve a certain road therein, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of school district number seven in the town of Skaneateles in the county of Onondaga, praying for the passage of an act authorising the trustees of said district to sell their school-house and lot, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Allegany, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Otsego, praying for the repeal of the law abolishing imprisonment for debt, was read, and referred to a select committee, consisting of Mr. Jones, Mr. Wilkinson and Mr. Ogden.

The memorial of sundry inhabitants of the town of Gates in the county of Monroe, relative to town meetings in said town, was read, and referred to a select committee, consisting of the members attending this House from the county of Monroe.

The petition of S. Newton Dexter of the city of Albany, praying for the passage of an act authorising the correction of an error made in patenting certain land to him by the State, was read, and referred to the Commissioners of the Land-Office.

The petition of sundry inhabitants of the city and county of Albany, praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of Maria Hall of the city of Schenectady, praying for the passage of an act confirming the will of her late husband William B. Hall deceased, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from Attica in the county of Genesee, to Buffalo in the county of Erie, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Onondaga, praying for the passage of an act in relation to the inspection of sole leather in said county, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from Utica to Salina, was read, and referred to the committee on rail-roads.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of sundry inhabitants of the town of Lansing in the county of Tompkins, praying for the passage of an act authorising the holding of a special town meeting, to fill a vacancy in the office of justice of the peace in said town, reported a bill, entitled "An act relative to holding special town meetings to supply vacancies in the office of justices of the peace;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Denniston, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of the trustees of the Seamen's Bank for Savings in the city of New-York, praying for an amendment of their charter, reported a bill, entitled "An act to amend the act entitled 'An act to incorporate the Seamen's bank for savings in the city of New-York,' passed January 31st, 1829;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. C. Strong, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of Hazard Lewis and others, praying for an act to incorporate the Chenango Canal Bridge Company in the county of Broome, reported a bill, entitled "An act incorporating the Chenango canal bridge company in the county of Broome;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Aathony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act providing for the erection of a bridge over the Esopus creek," reported, that the committee had examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the minister, elders and deacons of the Second Protestant Reformed Dutch Church in the city of Albany, asking for an alteration of their charter, reported a bill, entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Lockwood, from the select committee to which was referred the petition of Curtis Peck, praying permission to build a suitable wharf or dock for landing passengers and freight from steam-boats in which he is concerned, in the town of Rye in the county of Westchester, reported; and asked leave to introduce a bill.

[See Document No. 103.]

*Ordered*, That leave be given to bring in such bill.

Mr. Lockwood, according to leave, brought in the said bill, entitled "An act authorising Curtis Peck to erect a wharf in the town of Rye in the county of Westchester;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burke, from the select committee to which was referred the petition of sundry inhabitants of the town of Great-Valley in the county of Cattaraugus, reported; and asked leave to introduce a bill.

[See Document No. 105.]

*Ordered*, That leave be given to bring in such bill.

Mr. Burke, according to leave, brought in the said bill, entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Farwell, from the select committee to which was referred the petition of sundry inhabitants of the county of Jefferson, praying for a repeal of the law relative to the inspection of fish in said county, reported; and asked leave to introduce a bill.

[See Document No. 92.]

*Ordered*, That leave be given to bring in such bill.

Mr. Farwell, according to leave, brought in the said bill, entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish in the county of Jefferson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Peck, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river," reported, that the committee have examined the said bill, and prepared an amendment thereto, with which they see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Roosevelt, from the select committee to which was referred the petition of George Ohll, to change his name, reported; and asked leave to introduce a bill.

[See Document No. 102.]

*Ordered*, That leave be given to bring in such bill.

Mr. Roosevelt, according to leave, brought in the said bill, entitled "An act authorising George Ohll to change his name;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Honorable the Assembly, the petition of George Coryell and others, inhabitants of the county of Tioga, respectfully report:

[See Document No. 89.]

**Ordered,** That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Honorable the Assembly, the several petitions of Vincent Concklin and others, and of Jefferson Bartlet and others, respectfully report:

[See Document No. 91.]

**Ordered,** That the said report be referred to the committee on canals and internal improvements.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of James Averill, and also the petition of Jacob Failing, respectfully report:

[See Document No. 94.]

**Ordered,** That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of several inhabitants residing at the village of Chenango Forks and its vicinity, respectfully report:

[See Document No. 95.]

**Ordered,** That the said report be referred to the committee on canals and internal improvements.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Simeon Matterson of Rome in the county of Oneida, respectfully report:

[See Document No. 101.]

**Ordered,** That the said report be referred to the committee on claims.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Asa Campbell, respectfully report:

[See Document No. 98.]

**Ordered,** That the said report be referred to the committee on claims.

A communication from the State Prison Commissioners was received and read, in the words following, to wit:

*To the Legislature of the State of New-York.*

The Commissioners appointed by his Excellency the Governor, under the act concerning State prisons, passed May 2d, 1834, respectfully report:

[See Document No. 135.]

*Ordered,* That the said report be referred to the select committee on that subject, of which Mr. Carr is chairman.

*Ordered,* That the usual number of copies of the said report with the documents and evidence, and nine times the usual number of copies of the said report and documents without the evidence, be printed for the use of the Legislature, and seventy-five copies in addition to the foregoing, with the documents and evidence, for the use of the Commissioners.

A communication from the Secretary of State was received and read, in the words following, to wit:

STATE OF NEW-YORK, }

SECRETARY'S OFFICE. }

*Albany, January 29, 1835.*

TO THE SPEAKER OF THE ASSEMBLY.

I have the honor to communicate herewith, in pursuance of the resolution of the Assembly of the fourteenth instant, the profile, maps, and accompanying report of Benjamin Wright, of a survey of a rail-road from New-York to Lake Erie, made under the act of 6th May, 1834.

I am, respectfully,

Your obedient servant,

JOHN A. DIX.

[See Document No. 107.]

*Ordered,* That the said report be referred to the committee on rail-roads.

*Ordered,* That eight times the usual number of the said report be printed for the use of the Legislature, and one hundred copies in addition for the use of the Engineer.

The annual report of Caleb Smith, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 172.]

*Ordered,* That the said report be laid upon the table.

The annual report of Alexander Denniston, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 171.]

*Ordered,* That the said report be laid upon the table.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the Bowery savings bank in the city of New-York," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend an act entitled 'An act to incorporate the Troy turnpike and railroad company,' passed April 18th, 1831."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

On motion of Mr. Strong,

*Resolved*, That the Comptroller be requested to report to this House, the expenses incurred and paid out of the Treasury, for or on account of the Court of Errors, since the last session of the Legislature; with the specific sums, items, and amount paid to each member, officer and servant thereof respectively; distinguishing the sum paid to each, and to whom, and for what services, attendances, travel fees, expenses and charges whatsoever the same may be.

On motion of Mr. M. H. Sibley,

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be required to address the following interrogatory to the officers of the several banks in this State, in pursuance of the resolution of this House, and in addition to those adopted by the House yesterday:

25th. Has the bank, of which you are an officer, or any of its officers made it a condition, directly, indirectly or impliedly, of the discounting of any note, draft or other evidence of debt, that the borrower should receive therefor, the notes or bills of other bank or banks, at par—which notes were not at the time current or of par value at your bank; or the notes or bills of banks out of the United States, or out of this State, which were not at the time current and bankable at your institution? If yea, have such depreciated notes or bills been received or taken by such borrower of your bank, or any officer or officers thereof, at par, in pursuance of such understanding or condition? What amount of such depreciated paper has been so paid out by your bank or any of its officers or agents on behalf, or for the benefit of the bank? What was the current value of such paper at the counter of your bank at the time it was so paid out? What was the current value of it at the town, city or village where it was so paid out? And was the same received or taken by your bank; or any of its officers, or agents, on behalf or for the benefit of your bank, at less than par; and if so, at what per cent discount?

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the two Houses will, on the first Monday of February next, at twelve o'clock, proceed to nominate a Treasurer of this State.

*Ordered*, That the said resolution be laid upon the table.

Mr. Wetmore gave notice that he would, at a future day, ask leave to introduce a bill, to amend the general law of this State, for the incorporation of public libraries, passed 1st April, 1796.

In pursuance of previous notice, Mr. Patterson asked for and obtained leave to bring in a bill, entitled "An act concerning the granting of licenses;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then proceeded to the consideration of the resolution of the Senate of the twenty-second instant; the same was again read, in the words following, to wit:

*Resolved*, (the Assembly concurring herein,) That the Senators from this State in the Congress of the United States, be and they are hereby instructed to use their best efforts to cause to be expunged from the Journals of the Senate of the United States, the resolution of the 28th March, 1834, declaring, "That the President, in the late executive proceedings, in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

*Resolved*, That the Governor be requested to transmit a copy of the preceding resolution to each of the Senators from this State in the Congress of the United States.

Mr. Speaker put the question whether the House would agree to concur with the Senate in the said resolution, and it was determined in the affirmative.

{ AYES 88 }  
{ NAYS 31 }

The ayes and nays being required by ten members, -

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. Harvey	Mr. Philo
Mr. Barnes	Mr. J. Haskell	Mr. Powers
Mr. Beecher	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Herttell	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Burhans	Mr. Hiller	Mr. Ringgold
Mr. Barnum	Mr. Hough	Mr. Roosevelt
Mr. Cadwell	Mr. Ingersoll	Mr. Seger
Mr. Carpenter	Mr. Jackson	Mr. Shafer
Mr. Carr	Mr. Jones	Mr. Shepard
Mr. Cash	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. Kent	Mr. Springer
Mr. J. Clark	Mr. King	Mr. Stetson
Mr. Clinch	Mr. Krum	Mr. Suffern
Mr. Coe	Mr. Livingston	Mr. Thorn
Mr. Conklin	Mr. Lockwood	Mr. Tillinghast



Mr. Crain	Mr. Loomis	Mr. Van Benthuisen
Mr. Crary	Mr. Lytle	Mr. Van Bergen
Mr. Crosby	Mr. Mallory	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Warren
Mr. Cuykendall	Mr. Odell	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wilcoxson
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylje
Mr. Gray		

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Those who voted in the negative are

Mr. Blatchly	Mr. J. W. Lewis	Mr. Richmond
Mr. A. Brown	Mr. T. Lewis	Mr. D. Sibley
Mr. G. Brown	Mr. M'Cluer	Mr. M. H. Sibley
Mr. Burke	Mr. M'Kie	Mr. Simmons
Mr. Burr	Mr. M'Neil	Mr. C. Strong
Mr. C. Clark	Mr. Moore	Mr. E. Strong
Mr. Farwell	Mr. Moseley	Mr. Tomlinson
Mr. A. Hascall	Mr. Niles	Mr. Tyrrel
Mr. Hendee	Mr. Patterson	Mr. Waldron
Mr. Hildreth	Mr. Plumb	Mr. Woodward
Mr. Horton		

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*Ordered*, That the Clerk return the said resolution to the Senate, and inform them that this House have concurred in the same.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Dayan; the same was again read, in the words following, to wit:

*Resolved*, That the thirty-eighth rule of this House be amended, by adding to the end of the said rule the following words: "And such amendments only shall be in order, as were offered in committee of the whole house."

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Springer gave notice that he would, at some future day, ask leave to bring in a bill, fixing the compensation of grand and petit jurors serving in the several courts of record in the county of Rensselaer.

Mr. Hough gave notice that he would hereafter ask leave to introduce a bill to amend the charter of the village of Cazenovia.

*Ordered*, That Mr. Wheeler have leave of absence for ten days, Mr. Hillyer for two weeks, Mr. A. Hascall for two weeks, and Mr. Judd for eleven days.

*Ordered*, That the annual report of the Canal Commissioners, presented during the present session, be referred to the committee on canals and internal improvements.

*Ordered*, That the several reports of flour inspectors, presented

during the present session, be referred to the committee on trade and manufactures.

*Ordered*, That the committee on claims be discharged from the consideration of the petitions of Henry Van Patten and Henry N. Van Patten, and also of Horace Hurlbut and David Porter; and that the same be referred to the committee on canals and internal improvements.

*Ordered*, That the committee on the judiciary be discharged from the consideration of the petition of sundry inhabitants of the cities of New-York and Brooklyn, relative to additional ferries between said cities; and that the same be referred to a select committee, consisting of Mr. Roosevelt, Mr. Jackson, Mr. Phillips, Mr. Adams and Mr. Wager.

*Ordered*, That the committee on claims be discharged from the further consideration of the petition of James Mitchell, and that the same be referred to the committee on grievances.

In pursuance of previous notice, Mr. Parker asked for and obtained leave to introduce a bill, entitled "An act to exempt females from imprisonment on executions issued for costs only;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Niles,

*Resolved*, That the petitions, memorials and other papers in relation to the application for a bank in the county of Cortland, presented to the last Legislature, be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies, who have charge of the petition and other papers presented to this House.

Mr. Crain gave notice that he would, on some future day, ask leave to introduce a bill to abolish capital punishment in this State, and to provide for a better punishment of criminals.

Mr. Crain gave notice that he would, on some future day, ask leave to introduce a bill to amend the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," passed April 26th, 1831.

In pursuance of previous notice, Mr. Wilkinson asked for and obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors;'" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Jones, Mr. Wilkinson and Mr. Ogden.

Mr. Burr gave notice that he would hereafter ask for leave to bring in a bill to amend the act entitled "An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany," passed May 1st, 1834.

In pursuance of the preceding notice, Mr. Burr asked for, and by the unanimous consent of the House, obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake

in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. M. H. Sibley, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to divide the town of Perrysburgh in the county of Cattaraugus;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. Sibley, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

And then the House adjourned until eleven o'clock to-morrow morning.

## FRIDAY, JANUARY 30, 1835.

The House met pursuant to adjournment.

The memorial of sundry mechanics of the county of Oneida, praying relief from the oppressive system of State prison labor, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of the Rochester and Olean canal, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Steuben, praying for the incorporation of the Canisteo Navigation Company, for the purpose of constructing a boat channel from the Chemung canal to Hornellsville in said county, was read, and referred to the committee on canals and internal improvements.

Four several petitions of sundry inhabitants of the counties of Delaware, Chautauque and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petitions of sundry inhabitants of the counties of New-York, Saratoga, Lewis, Tioga, Cortland, Oneida and Tompkins, praying for a repeal of the law which prohibits botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the counties of New-York and Kings, praying for the establishment of additional ferries between the cities of New-York and Brooklyn, was read, and referred to the select committee on that subject, of which Mr. Roosevelt is chairman.

The petition of sundry inhabitants of the village of Fulton in the county of Oswego, praying for the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of Schuylerville in the county of Saratoga, praying for the incorporation of a company to construct a bridge across the Hudson river in said town, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the town of Alexandria in the county of Genesee, praying for the incorporation of a bank, to be located in the village of Attica, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at Owego in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Lawrence Barclay of the county of Wayne, praying for compensation for labor alleged to have been performed on the Cayuga and Seneca canal, was read, and referred to the committee on claims.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Cayuga, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construct a rail-road along the valley of the Erie canal, from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a turnpike road from Patroon's mills in said county, to the intersection of the Brunswick and Pittstown turnpike road, reported a bill, entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Baker, from the committee on canals and internal improvements, to which was referred the petition of the Oneida Lake Canal Company, praying for an increase of their capital, reported a bill, entitled "An act to amend an act to incorporate the Oneida lake canal company, passed March 22d, 1832;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the towns of Broome, Middleburgh and Blenheim in the county of Schoharie, praying for the passage of an act authorising the Mountain turnpike road to be worked as road districts, reported a bill, entitled "An act relative to the Mountain turnpike road in the county of Schoharie;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Blatchly, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the Cairo Bridge Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend and extend the charter of the Cairo bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Krum, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the town of Whitesborough in the county of Oneida, praying for the passage of an act authorising an appointment of a master in chancery, to be located

at Whitesborough, reported; and recommended that the prayer of the petitioners be denied.

[See Document No. 97.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

**TO THE ASSEMBLY.**

GENTLEMEN,

I have this day approved and signed the bill entitled "An act in relation to the Bowery savings bank in the city of New-York."

W. L. MARCY.

*Albany, January 30, 1835.*

A communication from the Chancellor was received and read, in the words following, to wit:

**TO THE SPEAKER OF THE ASSEMBLY.**

I have the honor to enclose a report in answer to the resolution of the House of the fourteenth instant.

Yours respectfully,

R. HYDE WALWORTH.

*Albany, January 29, 1835.*

[See Document No. 95.]

*Ordered,* That the said report be referred to the committee on the judiciary.

*Ordered,* That six times the usual number of copies of the said report be printed for the use of the Legislature.

A communication from the Attorney-General was received and read, in the words following, to wit:

**ATTORNEY-GENERAL'S OFFICE,**

*Albany, January 29, 1835.*

**TO THE SPEAKER OF THE ASSEMBLY.**

SIR,

In obedience to a resolution of the Assembly, I submit herewith a report in relation to contracts for the labor of convicts in the State prisons.

I am, respectfully,

Your obedient servant,

GREENE C. BRONSON.

[See Document No. 106.]

*Ordered,* That the said report be referred to the select committee on the State prison system, of which Mr. Carr is chairman.

The annual report of Jacob Shumway, an inspector of beef and pork in the city and county of New-York, was received and read.

[See Document No. 181.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of Samuel Satterlee, measurer-general of the city and county of New-York, was received and read.

[See Document No. 237.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to divide the town of Perrysburgh in the county of Cattaraugus;" and the engrossed bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to divide the town of Perrysburgh in the county of Cattaraugus," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Adams,

*Resolved*, That the Clerk of this House deliver the petition of Peter J. Enders, (presented to the last Assembly,) praying remuneration for damages sustained by reason of raising the dam across the Schoharie creek by the Canal Commissioners, to the said petitioner.

Mr. Patterson gave notice that he would, on some future day, ask leave to introduce a bill to amend the "Act to abolish imprisonment for debt, and to punish fraudulent debtors," passed April 26th, 1831.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of Anthony Rhodes and others, praying relief in relation to certain lots of land sold by the State; and that the same be referred to the committee on grievances.

*Ordered*, That Mr. J. Clark have leave of absence for six days, and Mr. Davis for eight days.

In pursuance of previous notice, Mr. Springer asked for and obtained leave to bring in a bill, entitled "An act fixing the compen-

sation to grand and petit jurors serving in courts of record in the county of Rensselaer;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the committee on canals and internal improvements be discharged from the consideration of the remonstrance of John Brown, against the petition of the Hudson and Mohawk Railroad Company, relative to transshipping property at Schenectady; and that the same be referred to the committee on rail-roads.

On motion of Mr. Parker,

*Resolved*, That the Clerk of this House procure the papers on the files thereof, presented at the last session of the Legislature, for and against the incorporation of a bank, to be located in the village of Attica in the county of Genesee; and that the same be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Roosevelt gave notice of his intention to introduce a bill to amend and extend the general laws of this State for the incorporation of manufacturing companies, so as to prevent the necessity of applying for or granting special charters in such cases.

On motion of Mr. Wetmore,

*Resolved*, That the report of James Lowerre, inspector of beef and pork, is not in compliance with the provision of the laws, and is not satisfactory to this House.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Roosevelt; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the two Houses will, on the first Monday of February next, at twelve o'clock, proceed to nominate a Treasurer of this State.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Senate, and request their concurrence in the same.

On motion of Mr. Roosevelt,

*Resolved*, That the reports of the inspectors of beef and pork, lumber, staves and heading, &c. made to this House during the present session, and all reports which may hereafter be made by any such inspectors, be referred to the committee on trade and manufactures.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to masters in chancery in the county of Oneida;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ogden, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on



the bill entitled "An act for the relief of Ann Hoop, James Hoop and William Hoop;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Krum, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act authorising parties and persons interested in suits at law in courts of record, to be examined as witnesses;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wetmore, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Moore, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the resolution for amending the Constitution relative to the salt and auction duties of this State; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Griswold, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the destruction of bears in the town of Florence, Oneida county;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to provide for auditing the accounts of certain town officers in the county of Dutchess;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Phillips, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Samuel S. Lush;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Roosevelt, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same

in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The Senate sent for concurrence, a bill entitled "An act to incorporate the New-York India rubber cloth company."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

And then the House adjourned till eleven o'clock to-morrow morning.

## SATURDAY, JANUARY 31, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the counties of Madison and Oneida, praying for the improvement of the Oneida creek between the Erie canal and Oneida Castle, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Columbia, praying for a repeal of the law abolishing imprisonment for debt, was read, and referred to the select committee on that subject, of which Mr. Jones is chairman.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Madison, praying for an extension of the west branch feeder of the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Queens, praying for the incorporation of a fire insurance company for said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Isaac Peck and Elijah Peck, praying for the passage of an act authorising them to build a wharf adjacent to their lands in the town of Flushing in the county of Queens, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Conklin.

The petition of Marcus Osborne of the county of Suffolk, praying for the passage of an act authorising him to build a wharf adjoining his land in said county, was read, and referred to a select committee, consisting of Mr. Phillips, Mr. Conklin and Mr. Jackson.

The petition of the directors of Payne's Bridge Company in the county of Suffolk, praying for an increase of their capital stock, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Charles M'Lain of the county of Broome, praying for the passage of an act releasing him from any further liability to the State on account of a certain lot of land therein mentioned, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the counties of Rensselaer and Columbia, praying for the incorporation of a company to construct a rail-road from Greenbush to West-Stockbridge, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the county of Allegany, against annexing a part of the town of Almond to the town of Burns in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Onondaga and Cortland, praying the aid of the State in the construction and repairs of a road across the lands of the Onondaga Indians, was read, and referred to the committee on Indian affairs.

The petition of sundry inhabitants of the counties of Chenango and Otsego, praying for the construction of a M'Adam road by the State, from Albany to Owego in the county of Tioga, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Waterford in the county of Saratoga, praying for damages alleged to have been sustained in consequence of the erection of the State dam at Troy, was read, and referred to the committee on grievances.

The petition of sundry inhabitants of the county of Madison, praying for an extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

Mr. Patterson, from the committee on the petitions of aliens, to which was referred the petition of Mary Johnson of Franklinville in the county of Cattaraugus, reported; and asked leave to introduce a bill.

[See Document No. 99.]

*Ordered*, That leave be given to bring in such bill.

Mr. Patterson, according to leave, brought in the said bill, entitled "An act for the relief of Mary Johnson and others;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

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**Mr. E. Strong**, from the committee on the petitions of aliens, to which was referred the petition of Elizabeth Favie, Jaque Favie, Elizabeth Sainetmeme, Piere Favie and Margaret Bosfrout, aliens, reported; and asked leave to introduce a bill.

[See Document No. 100.]

*Ordered*, That leave be given to bring in such bill.

**Mr. E. Strong**, according to leave, brought in the said bill, entitled "An act for the relief of Elizabeth Favie, Margaret Bosfrout, Jaque Favie, Elizabeth Sainetmeme and Piere Favie;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Mr. M. H. Sibley**, from the committee on claims, to which was referred the petition of Chauncey Persons, for relief, reported; and asked leave to introduce a bill.

[See Document No. 104.]

*Ordered*, That leave be given to bring in such bill.

**Mr. M. H. Sibley**, according to leave, brought in the said bill, entitled "An act for the relief of Chauncey Persons;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Mr. Livingston**, from the committee on the judiciary, to which was referred the petition of the board of supervisors of the county of Dutchess, relative to the compensation of the district attorney of said county for his services, reported; and recommended that the prayer of the petitioners be denied.

[See Document No. 114.)

*Ordered*, That the said report be laid upon the table.

**Mr. Livingston**, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act authorising the appointment of a supreme court commissioner, to reside in the county of Chenango," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

**Mr. Herttell**, from the select committee to which was referred so much of the Governor's message as relates to the insane poor, reported; and asked leave to introduce a bill.

[See Document No. 167.]

*Ordered*, That leave be given to bring in such bill.

**Mr. Herttell**, according to leave, brought in the said bill, entitled "An act to authorise the establishment of the New-York lunatic asylum;" which was read the first time, and by unanimous consent

was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill, and four times the usual number of copies of the said report, be printed for the use of the Legislature.

A communication from the Canal Board was received and read, in the words following, to wit:

The Canal Board, to whom was referred the petition of Holmes Hutchinson, respectfully report:

[See Document No. 140.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

The annual report of Robert Usher, an inspector of beef and pork in the city of New-York, was received and read.

[See Document No. 188.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of the Seamen's Bank for Savings in the city of New-York, was received and read.

[See Document No. 188.]

*Ordered*, That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

*To the Legislature of the State of New-York.*

The Canal Commissioners, pursuant to a suggestion contained in their annual report, herewith submit a special report on the improvement of the Erie canal.

[See Document No. 143.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That four times the usual number of copies of the said report without the documents, and twice the usual number of the said report with the documents, be printed for the use of the Legislature, and two hundred copies in addition thereto, with the documents, for the use of the Commissioners.

The annual report of Isaac Leonard, an inspector of leather in the city of Rochester, was received and read.

[See Document No. 184.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Joseph E. Smith & Co., respectfully report:

[See Document No. 109.]

*Ordered*, That the said report be referred to the committee on claims.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to masters in chancery in the county of Oneida;" the engrossed bill entitled "An act for the relief of Ann Hoop, James Hoop and William Hoop;" the engrossed bill entitled "An act relative to the destruction of bears in the town of Florence, Oneida county;" and the engrossed bill entitled "An act for the relief of Samuel S. Lush;" and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act in relation to masters in chancery in the county of Oneida," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act for the relief of Ann Hoop, James Hoop and William Hoop," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act relative to the destruction of bears in the town of Florence, Oneida county," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act for the relief of Samuel S. Lush," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 66 }  
{ NAYS 36 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Baker	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Herttell	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Rice
Mr. Bennet	Mr. Horton	Mr. Richmond
Mr. Blatchly	Mr. Hough	Mr. Ringgold
Mr. A. Brown	Mr. Ingersoll	Mr. Seger
Mr. Burhans	Mr. Krum	Mr. D. Sibley
Mr. Burr	Mr. Livingston	Mr. M. H. Sibley
Mr. A. Clark	Mr. Loomis	Mr. Simmons

Mr. C. Clark	Mr. Mallory	Mr. Stetson
Mr. Coe	Mr. M'Cluer	Mr. C. Strong
Mr. Craia	Mr. M'Neil	Mr. E. Strong
Mr. Crary	Mr. Moore	Mr. Thorn
Mr. Crowell	Mr. Moseley	Mr. Tomlinson
Mr. Caykendall	Mr. Niles	Mr. Tyrrel
Mr. Denniston	Mr. Palmer	Mr. Warren
Mr. Eldred	Mr. Patterson	Mr. Wilcoxson
Mr. Farwell	Mr. Peck	Mr. Williams
Mr. Finch	Mr. Phillips	Mr. Woodbury
Mr. Fisher	Mr. Philo	Mr. Woodward
Mr. Griswold	Mr. Plumb	Mr. A. Woodworth
Mr. Healy	Mr. Powers	Mr. Wylie

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Those who voted in the negative are

Mr. Adams	Mr. J. Haskell	Mr. Ostrom
Mr. Anthony	Mr. Hicks	Mr. P. W. Paddock
Mr. Barnes	Mr. Hiller	Mr. Parker
Mr. Cadwell	Mr. Jackson	Mr. Pettit
Mr. Carpenter	Mr. Jones	Mr. Roosevelt
Mr. Cash	Mr. Kent	Mr. Shafer
Mr. Clinch	Mr. King	Mr. Shepard
Mr. Conklin	Mr. J. W. Lewis	Mr. Speaker
Mr. Crosby	Mr. Lockwood	Mr. Springer
Mr. Dayan	Mr. Murphy	Mr. Wager
Mr. Groom	Mr. Odell	Mr. Wetmore
Mr. Harvey	Mr. Ogden	Mr. Wilkinson

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Tyrrel,

*Resolved*, That the committee on the judiciary be instructed to inquire into the propriety of repealing that part of the law allowing other persons than the proper executive officers of the county, to serve declarations.

*Ordered*, That Mr. Burke have leave of absence for five days.

Mr. Adams gave notice that he would, on some future day, ask leave to introduce a bill to amend the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors."

On motion of Mr. Dayan,

*Resolved*, That the Comptroller report to this House, the amount of tolls received for transportation on the Chemung canal during the last year, on each of the following articles, to wit, lumber, coal, wheat and flour.

On motion of Mr. Livingston, and by the unanimous consent of the House,

*Resolved*, (if the Senate concur,) That the two Houses will, on Monday the second day of February next, at twelve o'clock at noon, proceed to the choice of an Attorney-General of this State.

*Ordered*, That the clerk deliver a copy of the preceding resolution to the Senate, and request their concurrence in the same.

On motion of Mr. Krum,

*Resolved*, That the committee on colleges, academies and common schools, be instructed to inquire into the expediency of so amending the law, as to require the commissioners of common schools to report to the county clerk by the first day of August, (instead of the first day of October;) and that the county clerk report to the Superintendent of Common Schools by the first day of October, instead of the first day of December.

In pursuance of previous notice, Mr. Roosevelt asked for and obtained leave to bring in a bill, entitled "An act to amend and extend the act entitled 'An act relative to incorporations for manufacturing purposes,' passed March 22d, 1811;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. M. H. Sibley asked for and obtained leave to bring in a bill, entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. Crain asked for and obtained leave to bring in a bill, entitled "An act to abolish capital punishment, and to provide for the punishment of certain crimes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of the thirtieth instant, fixing the time for choosing a Treasurer of this State.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act relative to the Port-Kent and Hopkinton road;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cuykendall, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again



read and agreed to by the House, and the bill ordered to a third reading.

The House then again resolved itself into a committee of the whole, on the resolution relative to an amendment of the Constitution respecting the salt and auction duties; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Griswold, from the said committee, reported, that the committee had gone through the said resolution, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the resolution be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to annex a part of the town of Almond in the county of Allegany, to the town of Burns in said county;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Denniston, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Orphan asylum society of the city of Brooklyn;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Parker, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

And then the House adjourned until eleven o'clock on Monday morning next.

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## MONDAY, FEBRUARY 2, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of an eye and ear infirmary, to be located at Syracuse in said county, was read, and referred to the committee on medical societies and colleges.

Nine several petitions of sundry inhabitants of the counties of New-York, Kings, Queens and Suffolk, and of the president, directors and company of the Brooklyn and Jamaica rail-road, praying for the establishment of additional ferries between New-York

and Brooklyn, were read, and referred to the select committee on that subject, of which Mr. Roosevelt is chairman.

The memorial of sundry inhabitants of the town of Oswegatchie in the county of St. Lawrence, relative to the Ogdensburgh Academy, was read, and referred to the committee on colleges, academies and common schools.

Two several petitions of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Hamilton, Montgomery and Saratoga, praying for the survey of a canal route from the Erie or Champlain canal, to the Sacandaga river in the town of Northampton, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Otsego, praying for the construction of a M'Adam road from the city of Albany to Owego in the county of Tioga, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of John Ladd and Nancy Ladd his wife, of the county of Delaware, praying for the passage of an act authorising them to take and hold the property of Daniel Cameron, who died intestate, was read, and referred to the select committee on that subject, of which Mr. Wager is chairman.

The petition of sundry purchasers of lands in Oneida Castleton in the county of Oneida, praying for the passage of an act authorising a re-appraisal of the said lands, was read, and referred to the committee on public lands.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Wayne, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the village of Canastota in the county of Madison, praying for the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of the directors and stockholders of the North River Insurance Company in the city of New-York, praying for an extension of their charter, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of S. M. Thompson and others, proprietors of the Harlem bridge, praying for the passage of an act prohibiting burthens of more than five tons weight passing over toll-bridges within this State, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of St. Lawrence, praying for the revival of an act incorporating the Niagara Canal Company, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of the trustees of school district number seven in the town of Skaneateles in the county of Onondaga, praying for legal authority to sell a school-house and lot, and to make disposition of the proceeds thereof, reported; and asked leave to introduce a bill.

[See Document No. 113.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act in relation to district school-houses;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, who were instructed by a resolution of the House adopted on the thirty-first ultimo, to inquire into the expediency of amending the law in relation to the time of making reports by the commissioners of common schools and county clerks, reported; and asked leave to introduce a bill.

[See Document No. 110.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of Nerum Abbott, praying for a compensation for damages sustained by the overflowing of his lands, occasioned by the breaking away of the banks of the Chenango canal, reported; and offered the following resolution:

[See Document No. 115.]

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of Nerum Abbott, and that the petitioner have leave to withdraw the same.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That double the usual number of copies of the said report be printed for the use of the Legislature.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate,

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entitled "An act to incorporate the New-York India rubber cloth company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Jackson, from the select committee to which was referred the petition of Isaac Peck and Elijah Peck, asking for permission to erect a dock, reported a bill, entitled "An act authorising Isaac Peck and Elijah Peck, their heirs and assigns, to erect a dock in the town of Flushing in the county of Queens;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of Saturday last, fixing the time for choosing an Attorney-General of this State.

Pursuant to title third of the fifth chapter of the first part of the Revised Statutes of this State, and agreeably to the concurrent resolutions, the House proceeded to nominate an Attorney-General; when each member present openly nominated as follows:

FOR GREENE C. BRONSON.

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Phillips
Mr. Baker	Mr. J. Haskell	Mr. Philo
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Herttell	Mr. Preston
Mr. Benjamin	Mr. Hicks	Mr. Quackenboss
Mr. Bennet	Mr. Hiller	Mr. Rice
Mr. Burhans	Mr. Hough	Mr. Roosevelt
Mr. Barnum	Mr. Ingersoll	Mr. Seger
Mr. Cadwell	Mr. Jackson	Mr. Shafer
Mr. Carpenter	Mr. Jones	Mr. Shepard
Mr. Carr	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. Clinch	Mr. Livingston	Mr. Stevens
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Van Benthuisen
Mr. Cray	Mr. Mallory	Mr. Wager
Mr. Crosby	Mr. Murphy	Mr. Warren
Mr. Crowell	Mr. Odell	Mr. Wetmore
Mr. Cuykendall	Mr. Ogden	Mr. Wilcoxson
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Griswold		

## FOR MARTIN LEE.

Mr. Burr	Mr. McCluer	Mr. D. Sibley
Mr. C. Clark	Mr. McNeil	Mr. C. Strong
Mr. Farwell	Mr. Moore	Mr. E. Strong
Mr. Hendee	Mr. Niles	Mr. Tomlinson
Mr. Horton	Mr. Patterson	Mr. Tyrrel
Mr. Hutchinson	Mr. Richmond	Mr. Woodward
Mr. T. Lewis		

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## FOR JOHN C. SPENCER.

Mr. Blatchly	Mr. Moseley	Mr. M. H. Sibley
Mr. Hildreth	Mr. Plumb	

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The House then proceeded to nominate a Treasurer of this State; when each member present openly nominated as follows:

## FOR ABRAHAM KEYSER.

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Phillips
Mr. Baker	Mr. J. Haskell	Mr. Philo
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Hertell	Mr. Preston
Mr. Benjamin	Mr. Hicks	Mr. Quackenboss
Mr. Bennet	Mr. Hiller	Mr. Rice
Mr. Burhans	Mr. Hough	Mr. Roosevelt
Mr. Barnum	Mr. Ingersoll	Mr. Seger
Mr. Cadwell	Mr. Jackson	Mr. Shafer
Mr. Carpenter	Mr. Jones	Mr. Shepard
Mr. Carr	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. Clinch	Mr. Livingston	Mr. Stevens
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Van Benthuisen
Mr. Crary	Mr. Mallory	Mr. Wager
Mr. Crosby	Mr. Murphy	Mr. Warren
Mr. Crowell	Mr. Odell	Mr. Wetmore
Mr. Cuykendall	Mr. Ogden	Mr. Wilcoxson
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Griswold		

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## FOR S. NEWTON DEXTER.

Mr. Burr	Mr. M'Cluer	Mr. D. Sibley
Mr. C. Clark	Mr. M'Neil	Mr. M. H. Sibley
Mr. Farwell	Mr. Moore	Mr. C. Strong
Mr. Hendee	Mr. Moseley	Mr. E. Strong
Mr. Hildreth	Mr. Niles	Mr. Tomlinson
Mr. Horton	Mr. Paterson	Mr. Tyrrel
Mr. Hutchinson	Mr. Plumb	Mr. Woodward
Mr. T. Lewis	Mr. Richmond	

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On motion of Mr. Dayan,

*Resolved*, That Greene C. Bronson is hereby nominated, on the part of this House, for the office of Attorney-General of this State.

Mr. J. Haskell offered for the consideration of the House, the following recital and resolution, to wit:

Whereas it has been deemed wise and expedient, by the democratic electors of the city and county of New-York, to exact from their representatives a full and open avowal of their principles upon all important political questions involving the safety of their civil institutions; and whereas they have watched with an eye of jealousy to the public good, the welfare of their country, and the prosperity of those institutions, until they saw their liberties slowly but gradually wasting away, and a horde of aristocratic usurers and money changers rising in their stead, and assuming to themselves the right of dictation and mastership; and whereas by partial acts of past legislation, they have suffered their rights to be taken from them, and given to a favored few, without complaint; but believing that it is now time to take from the servant or agent the false power not conferred upon him, and to place him in a situation where he shall no longer rule with a rod of iron, nor deal out to the political gamblers the heart's blood of their country, her liberties, they have required of him a solemn pledge to oppose all monopolies, and to exert all his energies in restoring to its natural health and purity the tottering condition of this great State, and also of the Republic; and as it is the right belonging to the constituent to exact an opinion from their servants in whatever may concern their interest and welfare, and as this house is the constituent body, and answerable to the people for its appointments and actions:

Therefore,

*Resolved*, (if the Senate concur,) That a committee of three be appointed by this House, to wait upon the Attorney-General and the Treasurer of State, and request their signatures to the following pledge:

## THE PLEDGE.

We, the undersigned, do solemnly pledge ourselves, if elected to fill the offices of Attorney-General and State Treasurer, to oppose all monopolies, coming from what quarter they may, or in whatever form; and that we will throw aside all other feelings for the common good, and exert our energies to place upon its legitimate basis the rights and equality of mankind.

*Resolved*, That a copy of this preamble, resolution and pledge, be forwarded to the Honorable the Senate, for their concurrence.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Burhans,

*Resolved*, That Abraham Keyser is hereby nominated on the part of this House, for the office of Treasurer of this State.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nominations of an Attorney-General and Treasurer.

Thereupon,

*Resolved*, That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their said nominations.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

The Senate accordingly attended in the Assembly chamber; and having withdrawn, Mr. Speaker informed the House, that on comparing the nominations of the Senate and Assembly, they were found to agree in the names of Greene C. Bronson for Attorney-General, and Abraham Keyser for the office of Treasurer of this State.

Thereupon,

*Resolved*, That Greene C. Bronson is hereby appointed Attorney-General of this State. •

*Resolved*, That Abraham Keyser is hereby appointed Treasurer of this State.

The annual report of Abraham Dally, inspector-general of domestic spirits in the city of New-York, was received and read.

[See Document No. 204.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of James M. Nelson, an inspector of lumber in the city of New-York, was received and read.

[See Document No. 187.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

A communication from the Comptroller was received and read, in the words following, to-wit:

The Comptroller, in obedience to a resolution of the Assembly of the twenty-ninth January, directing him to report to the House the expenses incurred and paid out of the Treasury, for or on account of the Court of Errors, since the last session of the Legislature, respectfully reports:

[See Document No. 125.]

*Ordered*, That the said report be committed to the committee of the whole, when on the bill relative to the salaries of the chancellor, justices of the supreme court, and circuit judges.

A communication from the commissioners under the act of last session, entitled "An act authorising a loan for the benefit of the people of this State," was received and read.

• [See Document No. 108.]

*Ordered*, That the said report be referred to the committee on ways and means.

*Ordered*, That ten times the usual number of copies of the said report be printed for the use of the Legislature.

A communication from Amasa J. Parker was received and read, in the words following, to wit:

*Delhi, Delaware Co., Jan. 30, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

I have received a copy of the resolution of the Assembly, appointing me one of the Regents of the University of this State.

Be pleased to communicate to that Honorable Body my acceptance of the office, with my respectful acknowledgments for the distinguished honor conferred on me by the appointment.

With great respect,

Your obedient servant,

AMASA J. PARKER.

The annual report of William Barber, an inspector of beef and pork in and for the county of Oneida, was received and read.

[See Document No. 198.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of Peter Lansing, an inspector of lumber in the city of Albany, was received and read.

[See Document No. 198.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The Senate sent for concurrence, a bill entitled "An act relating to the place of imprisonment of Elijah Welch, a convict now in the Auburn State prison;" and a bill entitled "An act to incorporate the Erin fraternal benevolent association."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act relating to the place of imprisonment of Elijah Welch, a convict now in the Auburn State prison," was referred to the



committee on State prisons; and the bill entitled "An act to incorporate the Erin fraternal benevolent association," was referred to the committee on the incorporation of charitable and religious societies, severally to consider and report thereon.

The engrossed bill from the Senate, entitled "An act relating to the Port-Kent and Hopkinton road," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to annex a part of the town of Almond in the county of Allegany, to the town of Burns in said county;" and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the Orphan asylum society of the city of Brooklyn," and find the same correctly engrossed.

Thereupon,

The said bill was ordered to a third reading.

In pursuance of previous notice, Mr. Patterson asked for and obtained leave to bring in a bill, entitled "An act to amend the act to abolish imprisonment for debt, and to punish fraudulent debtors, passed April 26th, 1831;" which was read the first time, and by unanimous consent was also read a second time, and referred to the select committee on that subject, of which Mr. Jones is chairman.

*Ordered*, That double the usual number of copies of the said bill be printed for the use of the Legislature.

On motion of Mr. Carr,

*Resolved*, That the committee on trade and manufactures be instructed to inquire into the expediency of so amending the law regulating sales by public auction in the city of New-York, as to require that the advertisement shall in all cases contain the name of the person by authority of whose commission such sales are intended to be effected.

On motion of Mr. Adams,

*Resolved*, That the select committee charged with the subject of recommending a repeal or amendment of the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," be increased to the number of eight.

Thereupon,

*Ordered*, That Mr. Adams, Mr. Patterson, Mr. Wilcoxson, Mr. Jackson and Mr. J. Clark, be of the said committee.

On motion of Mr. Roosevelt,

*Resolved*, That it be referred to the committee on the judiciary, to inquire into the expediency of giving to the several courts of law full power to carry into effect their own executions, without resorting to the present dilatory and expensive practice of filing bills in chancery for that purpose.

Mr. Clinch offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the Attorney-General be requested to report to this House, whether, in his opinion, the Legislature have power to prevent the issue of bills or notes of the smaller denominations, by banks, the charters of which the Legislature have not reserved the right of altering, modifying or amending.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the report of the committee on the judiciary, on the petition of Charles Waggoner, be recommitted to the committee on the judiciary.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of Charles M'Lain of the county of Broome, praying relief in relation to lot number sixteen therein mentioned; and that the same be referred to the Commissioners of the Land-Office.

The Senate sent for concurrence, a resolution, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the trustees of the State library be authorized to transmit two copies of the Revised Statutes of this State, with two copies of the Session Laws since the last revision, a copy of Burr's Atlas, and also a copy of the Journals and Legislative Documents, so far as they can be furnished, to the Commissioners of the Public Records of the united kingdoms of Great-Britain and Ireland, as a return for a set of the Record Publications recently received from said commissioners for the use of the State library.

*Ordered*, That the said resolution be referred to the committee the judiciary.

On motion of Mr. Mallory,

*Resolved*, That the Canal Commissioners be discharged from the further consideration of the petition of the mill owners on the outlet of Crooked lake, and that the same be referred to a select committee.

*Ordered*, That Mr. Wilcoxson, Mr. Moseley and Mr. Suffern, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned till eleven o'clock to-morrow morning.

## TUESDAY, FEBRUARY 3, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from the village of Batavia to the city of Buffalo, was read, and referred to the committee on rail-roads.

The petition of John Phillips of the county of Niagara, praying for an extension of the act establishing a ferry across the Niagara river at Youngstown in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Cayuga, Tompkins and Cortland, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

The petition of Lucas Elmendorf of the county of Ulster, praying compensation for certain services alleged to have been performed under a law of this State, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Seneca, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The memorial of the president and directors of the Seneca Turnpike Company, relative to the incorporation of a rail-road company to construct a rail-road from Utica to Canandaigua, was read, and referred to the committee on rail-roads.

*Ordered*, That the usual number of copies of the said memorial be printed for the use of the Legislature.

[See Document No. 148.]

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Danaville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for the repeal of the act prohibiting the use of the surplus water on the Erie canal at Brighton in said county, for hydraulic purposes, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the village of Havana in the county of Tioga, praying for the incorporation of said village,

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was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Oneida, praying for an alteration of the law relative to taxing manufacturing incorporations, was read, and referred to the committee on ways and means.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Chautauque, praying for the incorporation of a bank, to be located at Dunkirk in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the town of Rye in the county of Westchester, against the petition of Curtis Peck, for an act authorising him to build a wharf in said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Broome, praying for the incorporation of a bank, to be located at Owego in the county of Tioga, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Orange, praying for the repeal of the law prohibiting botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the counties of Cayuga, Tompkins and Cortland, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of sundry inhabitants of the town of Avon in the county of Livingston, praying that the law regulating elections other than for militia and town officers, may be so modified as to secure the citizen in his person against a wanton abuse of power on the part of inspectors, reported; and recommended that the prayer of the petitioners be denied.

[See Document No. 119.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Stevens, from the committee on State prisons, to which was referred the engrossed bill from the Senate, entitled "An act relating to the place of imprisonment of Elijah Welch, a convict now in the Auburn State prison," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of the trustees of school district number two in the city of Rochester, reported; and asked leave to introduce a bill.

[See Document No. 117.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Lockwood, from the committee on the militia and the public defence, to which was referred the petition of the officers and members of the first regiment of horse artillery, reported; and asked leave to introduce a bill.

[See Document No. 112.]

*Ordered*, That leave be given to bring in such bill.

Mr. Lockwood, according to leave, brought in the said bill, entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the bill entitled "An act to extend the navigation from the head of the Chemung canal feeder, to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Erin fraternal benevolent association," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of John Herkimer, respectfully report:

[See Document No. 116.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Nathaniel Pitcher, for the relief of Plynm Darby, respectfully report:

[See Document No. 118.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Janius Rogers of Utica, respectfully report:

[See Document No. 121.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from the Bank Commissioners was received and read, in the words following, to wit:

The Bank Commissioners, in answer to a resolution of the Assembly of the tenth of January last, which was modified by a subsequent resolution of the fifth of May, requiring a statement of dividends and deposits in the several banks subject to their visitation, which have remained unclaimed since the first of January, 1830, except where the depositors or proprietors of dividends were known to be living, and not insolvent, respectfully report:

[See Document No. 129.]

*Ordered*, That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

*Ordered*, That four times the usual number of copies of the said report be printed for the use of the Legislature.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of John W. Wisner, respectfully report:

[See Document No. 120.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

The annual report of John Brace, an inspector of beef and pork, was received and read.

[*See Document No. 202.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of Thomas Moore, an inspector of fish in the city and county of New-York, was received and read.

[*See Document No. 201.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of E. Miller, an inspector of flour and meal, was received and read.

[*See Document No. 203.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of H. Turner, an inspector of beef and pork in the county of Rensselaer, was received and read.

[*See Document No. 206.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The engrossed bill entitled "An act to incorporate the Orphan asylum society of the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Herttell	Mr. Pettit
Mr. Anthony	Mr. Hildreth	Mr. Phillips
Mr. Baker	Mr. Hiller	Mr. Philo
Mr. Barnes	Mr. Horton	Mr. Plumb
Mr. Beecher	Mr. Hough	Mr. Powers
Mr. Benjamin	Mr. Hutchinson	Mr. Preston
Mr. Bennet	Mr. Ingersoll	Mr. Richmond
Mr. Blatchly	Mr. Jackson	Mr. Ringgold
Mr. A. Brown	Mr. Jones	Mr. Seger

Mr. Burhans	Mr. Kent	Mr. Shafer
Mr. Barnum	Mr. King	Mr. Shepard
Mr. Burr	Mr. Krum	Mr. D. Sibley
Mr. Cadwell	Mr. J. W. Lewis	Mr. Simmons
Mr. Cash	Mr. T. Lewis	Mr. Speaker
Mr. A. Clark	Mr. Livingston	Mr. Springer
Mr. C. Clark	Mr. Lockwood	Mr. Stetson
Mr. Coe	Mr. Loomis	Mr. Stevens
Mr. Conklin	Mr. Lytle	Mr. E. Strong
Mr. Crain	Mr. Mallory	Mr. Suffern
Mr. Crary	Mr. M'Cluer	Mr. Thorn
Mr. Crosby	Mr. M'Kie	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Van Benthuisen
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Dayan	Mr. Moseley	Mr. Wager
Mr. Denniston	Mr. Murphy	Mr. Waldron
Mr. Eldred	Mr. Niles	Mr. Warren
Mr. Farwell	Mr. Odell	Mr. Wilcoxson
Mr. Finch	Mr. Ogden	Mr. Wilkinson
Mr. Fisher	Mr. Ostrom	Mr. Williams
Mr. Griswold	Mr. P. W. Paddock	Mr. Woodbury
Mr. Groom	Mr. W. S. Paddock	Mr. Woodward
Mr. Harvey	Mr. Palmer	Mr. A. Woodworth
Mr. Healy	Mr. Parker	Mr. W. Woodworth
Mr. Hendee	Mr. Patterson	Mr. Wylie 102

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Tyrrel
Mr. Clinch	Mr. Roosevelt	Mr. Wetmore 6

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Burhans gave notice that he would, on some future day, ask leave to bring in a bill to amend title thirteenth of chapter twentieth of part first of the Revised Statutes, entitled "Of the law of the road, and the regulation of public stages."

*Ordered*, That Mr. G. Brown have leave of absence for eight days, and Mr. Quackenboss for three days.

Mr. Moseley offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That a select committee be appointed to report to this House, as to the expediency of providing by law for the registry of electors in the several towns and wards in this State.

Debates were had thereon; and the question being put whether the House would agree to the said resolution, it was determined in the negative.

{ NAYS 77 }  
{ AYES 36 }



The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Fisher	Mr. Powers
Mr. Anthony	Mr. Griswold	Mr. Preston
Mr. Baker	Mr. Groom	Mr. Rice
Mr. Barnes	Mr. Harvey	Mr. Ringgold
Mr. Beecher	Mr. Healy	Mr. Roosevelt
Mr. Benjamin	Mr. Herttell	Mr. Seger
Mr. Bennet	Mr. Hiller	Mr. Shafer
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Jones	Mr. Springer
Mr. Carpenter	Mr. Kent	Mr. Stetson
Mr. Carr	Mr. King	Mr. Stevens
Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. Clinch	Mr. Lytle	Mr. Van Benthuisen
Mr. Coe	Mr. Murphy	Mr. Van Bergen
Mr. Conklin	Mr. Odell	Mr. Wager
Mr. Crain	Mr. Ogden	Mr. Warren
Mr. Crary	Mr. P. W. Paddock	Mr. Wetmore
Mr. Crosby	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Crowell	Mr. Palmer	Mr. Wilkinson
Mr. Cuykendall	Mr. Parker	Mr. Williams
Mr. Dayan	Mr. Peck	Mr. Woodbury
Mr. Denniston	Mr. Pettit	Mr. A. Woodworth
Mr. Eldred	Mr. Phillips	Mr. Wylie
Mr. Finch	Mr. Philo	

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Those who voted in the affirmative are

Mr. Blatchly	Mr. T. Lewis	Mr. Plumb
Mr. A. Brown	Mr. Livingston	Mr. Richmond
Mr. Burr	Mr. Loomis	Mr. D. Sibley
Mr. C. Clark	Mr. Mallory	Mr. M. H. Sibley
Mr. Farwell	Mr. M'Cluer	Mr. Shannons
Mr. J. Haskell	Mr. M'Kie	Mr. C. Strong
Mr. Hendee	Mr. M'Neil	Mr. E. Strong
Mr. Hildreth	Mr. Moore	Mr. Tomlinson
Mr. Horton	Mr. Moseley	Mr. Tyrrel
Mr. Hutchinson	Mr. Niles	Mr. Waldron
Mr. Ingersoll	Mr. Ostrom	Mr. Woodward
Mr. J. W. Lewis	Mr. Patterson	Mr. W. Woodworth 36

And then the House adjourned till eleven o'clock to-morrow morning.

## WEDNESDAY, FEBRUARY 4, 1835.

The House met pursuant to adjournment.

Two several petitions of sundry inhabitants of the counties of Albany and Livingston, praying for the construction of the Rochester and Olean canal, with a branch to Dansville, were read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Cayuga, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Cayuga, Cortland and Tompkins, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Steuben, praying for aid from the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of Parley Eaton of the county of Chautauque, praying for the passage of an act authorising him to hold the office of commissioner of deeds, and legalizing his official acts, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city of Utica, praying for an amendment of the first title of part first of the Revised Statutes, so as to require all sales at public auction in said city to be made by an auctioneer, except sales on executions, was read, and referred to the committee on trade and manufactures.

The petition of Abraham Gurnee and others of the county of Tioga, praying relief in regard to certain lots of land belonging to the State, was read, and referred to the committee on public lands.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a mutual fire insurance company in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the president, directors and company of the Union Bank in the city of New-York, praying for an increase of their capital stock, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the trustees of the Greenwich Savings Bank in the city of New-York, praying for an amendment of their charter, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The memorial of the mayor, aldermen and commonalty of the city of Albany, praying for the passage of an act equalizing the wards of said city, and for other purposes, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a turnpike road from Petersburg to Brunswick in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Ontario, praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the counties of Seneca, Cayuga, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Madison and Onondaga, praying for an alteration of the line between said counties, was read, and referred to the committee on the erection and division of towns and counties.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of John Phillips of the county of Niagara, praying for an extension of the act granting him the privilege of ferrying across Niagara river at Youngstown in said county, reported a bill, entitled "An act extending the act relative to the ferry at Youngstown in the county of Niagara, passed February 14th, 1826;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Troy turnpike and rail-road company,' passed April 18th, 1831," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Samuel Farwell, for compensation for extra labor on the Erie canal, reported; and asked leave to introduce a bill.

[See Document No. 122.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act to compensate Samuel Farwell for services rendered the State upon the Erie canal;" which was read the first

time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of Vincent Conklin and others, praying for permission to use the surplus waters of the Chemung canal, together with the report of the Canal Commissioners thereon, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. A. Clark, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of Broome, praying for the construction of a lock so as to unite the navigation of the Onondaga river with the Chenango canal, together with the report of the Canal Commissioners thereon, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Jackson, from the select committee to which was referred the memorial of sundry inhabitants of the county of Queens, praying for the passage of a law authorising the board of supervisors of said county to raise money to purchase a suitable site, and to erect thereon a new court-house and jail, reported; and asked leave to introduce a bill.

[See Document No. 131.]

*Ordered*, That leave be given to bring in such bill.

Mr. Jackson, according to leave, brought in the said bill, entitled "An act authorising the erection of a new court-house and jail in the county of Queens;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual report of the trustees of Union College was received and read.

[See Document No. 219.]

*Ordered*, That the said report be laid upon the table.

The annual report of Stephen E. Malthy, an inspector of beef and pork in the county of Onondaga, was received and read.

[See Document No. 207.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of N. Wilson, an inspector of beef and pork in the county of Greene, was received and read.

[See Document No. 210.]

**Ordered,** That the said report be referred to the committee on trade and manufactures.

The annual report of the Commercial Bank in the city of Albany, was received and read.

[See Document No. 199.]

**Ordered,** That the said report be laid upon the table.

**Ordered,** That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, entitled "An act relating to the place of imprisonment of Elijah Welch, a convict now in the Auburn State prison;" and that the same be ordered to a third reading.

Thereupon,

By the unanimous consent of the House,

The said bill was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Jackson gave notice that he would, on some future day, ask leave to introduce a bill, extending the powers conferred upon the Commissioners of the Land-Office, by article fourth of title fifth of chapter ninth of part first of the Revised Statutes, to lands under water, and between high and low water mark, in and adjacent to and surrounding the counties of Suffolk, Queens and Kings.

On motion of Mr. Kent,

**Resolved,** That the petition of Samuel Kelly, Joseph Cole and others, praying for remuneration for expenses incurred by attendance on the Astor trials, which were before the House at its last session, and for which a bill then passed, be referred to the committee on claims, to consider and report thereon.

The House then proceeded to the consideration of the recital and resolution heretofore offered by Mr. J. Haskell; the same was again read, in the words following, to wit:

Whereas it has been deemed wise and expedient, by the democratic electors of the city and county of New-York, to exact from their representatives a full and open avowal of their principles upon all important political questions involving the safety of their civil institutions; and whereas they have watched with an eye of jealousy to the public good, the welfare of their country, and the prosperity of those institutions, until they saw their liberties slowly but gradually wasting away, and a horde of aristocratic usurers and money changers rising in their stead, and assuming to themselves the right of dictation and mastership; and whereas by partial acts of past legislation, they have suffered their rights to be taken from them, and given to a favored few, without complaint; but believing that it is now time to take from the servant or agent the false power not conferred upon him, and to place him in a si-

tuation where he shall no longer rule with a rod of iron, nor deal out to the political gamblers the heart's blood of their country, her liberties, they have required of him a solemn pledge to oppose all monopolies, and to exert all his energies in restoring to its natural health and purity the tottering condition of this great State, and also of the Republic; and as it is the right belonging to the constituent to exact an opinion from their servants in whatever may concern their interest and welfare, and as this house is the constituent body, and answerable to the people for its appointments and actions:

Therefore,

*Resolved*, (if the Senate concur,) That a committee of three be appointed by this House, to wait upon the Attorney-General and the Treasurer of State, and request their signatures to the following pledge:

THE PLEDGE.

We, the undersigned, do solemnly pledge ourselves, if elected to fill the offices of Attorney-General and State Treasurer, to oppose all monopolies, coming from what quarter they may, or in whatever form; and that we will throw aside all other feelings for the common good, and exert our energies to place upon its legitimate basis the rights and equality of mankind.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

{ NAYS 105 }  
{ AYES 01 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Hicks	Mr. Powers
Mr. Anthony	Mr. Hildreth	Mr. Preston
Mr. Baker	Mr. Hiller	Mr. Rice
Mr. Barnes	Mr. Horton	Mr. Richmond
Mr. Beecher	Mr. Hough	Mr. Ringgold
Mr. Benjamin	Mr. Ingersoll	Mr. Roosevelt
Mr. Bennet	Mr. Jackson	Mr. Seger
Mr. Blatchly	Mr. Jones	Mr. Shafer
Mr. A. Brown	Mr. Kent	Mr. Shepard
Mr. Burhans	Mr. King	Mr. D. Sibley
Mr. Barnum	Mr. Krum	Mr. M. H. Sibley
Mr. Cadwell	Mr. T. Lewis	Mr. Simmons
Mr. Cash	Mr. Livingston	Mr. Speaker
Mr. A. Clark	Mr. Lockwood	Mr. Springer
Mr. C. Clark	Mr. Loomis	Mr. Stevens
Mr. Clinch	Mr. Lytle	Mr. C. Strong
Mr. Coe	Mr. Mallory	Mr. E. Strong
Mr. Conklin	Mr. M'Cluer	Mr. Suffern
Mr. Crain	Mr. M'Kie	Mr. Thorn

Mr. Crary	Mr. M'Neil	Mr. Tillinghast
Mr. Crosby	Mr. Moore	Mr. Tomlinson
Mr. Crowell	Mr. Moseley	Mr. Tyrrel
Mr. Cuykendall	Mr. Murphy	Mr. Van Benthuisen
Mr. Dayan	Mr. Niles	Mr. Van Bergen
Mr. Denniston	Mr. Odell	Mr. Wager
Mr. Eldred	Mr. Ostrom	Mr. Waldron
Mr. Farwell	Mr. P. W. Paddock	Mr. Warren
Mr. Finch	Mr. Palmer	Mr. Wetmore
Mr. Fisher	Mr. Parker	Mr. Wilcoxson
Mr. Griswold	Mr. Patterson	Mr. Wilkinson
Mr. Groom	Mr. Peck	Mr. Williams
Mr. Harvey	Mr. Pettit	Mr. Woodbury
Mr. Healy	Mr. Phillips	Mr. A. Woodworth
Mr. Hendee	Mr. Philo	Mr. W. Woodworth
Mr. Herttell	Mr. Plumb	Mr. Wylie 105

Those who voted in the affirmative are

Mr. J. Haskell

1

*Ordered*, That Mr. Farwell have leave of absence for twelve days.

On motion of Mr. Parker,

*Resolved*, That the petitions for, and remonstrances against, annexing a part of Spafford to the towns of Marcellus and Skaneateles in the county of Onondaga, be recommitted to the committee on the erection and division of towns and counties.

In pursuance of previous notice, Mr. Hough asked for and obtained leave to bring in a bill, entitled "An act to amend the charter of the village of Cazenovia;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to provide for auditing the accounts of certain town officers in the county of Dutchess;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. King, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the superior court of the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Hough, from the said com-

mittee, reported, that the committee had disagreed to the first section and the enacting clause of the said bill; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

And then the House adjourned till eleven o'clock to-morrow morning.

## THURSDAY, FEBRUARY 5, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Tioga, praying for an extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of Hiram Pratt, treasurer of the county of Erie, praying for the passage of an act authorising a loan to said county of two thousand five hundred dollars, for the purpose of building a fire-proof clerk's office in said county, and for other purposes, was read, and referred to a select committee, consisting of Mr. Plumb, Mr. Moseley and Mr. M'Neil.

The petition of sundry inhabitants of the county of Madison, praying for an extension of the west branch feeder of the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of William Davison and others of the county of Otsego, against the passage of an act authorising the maintenance of a certain dam in the Susquehannah river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the city of New-York, praying for the incorporation of an eye and ear infirmary, to be located in said city, was read, and referred to the committee on medical societies and colleges.

The petitions of sundry inhabitants of the counties of Rensselaer, Washington, Warren, Saratoga, Schoharie, Chautauque, New-York, Oswego, Lewis, Madison, Orange and Oneida, praying for the repeal of the law which prohibits botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.



The petition of sundry inhabitants of the city of Albany, praying for an alteration of the law relative to suits in replevin, was read, and referred to the committee on the judiciary.

The remonstrance of William Brown of the city of Schenectady, against the passage of an act granting to Mary S. Hall certain real estate, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the county of Tioga, praying for the repeal of the poor laws so far as respects said county, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to improve certain roads in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of the First Christian Party of Oneida Indians, praying further compensation for their lands purchased by the State in October, 1829, was read, and referred to the committee on Indian affairs.

Two several petitions of sundry inhabitants of the counties of Delaware and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and referred to the committee on rail-roads.

The petition of the heirs of Peter Otsequette, an Indian, praying for the passage of an act authorising the payment of the principal sum on which an annuity is now paid by the State, was read, and referred to the Comptroller.

The petition of Lewis Dana, an Oneida Indian, praying for the passage of an act authorising the Commissioners of the Land-Office to convey to him a certain lot of land therein mentioned, was read, and referred to the committee on Indian affairs.

Mr. Patterson, from the committee on the petitions of aliens, to which was referred the petition of Patrick Rooney of the city of Albany, reported; and asked leave to introduce a bill.

[See Document No. 130.]

*Ordered*, That leave be given to bring in such bill.

Mr. Patterson, according to leave, brought in the said bill, entitled "An act for the relief of Patrick Rooney;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the resolution instructing the committee to inquire into the expediency of so amending the law regulating sales by public auction in the city of New-York, as to require that the advertisement shall in all cases contain the name of the person by authority of whose commission such sales are intended to be effected, reported a bill, entitled "An act to amend part first, title

first, chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases;' which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Denniston, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants residing upon Long Island, praying for a renewal of the charter of the Long Island Farmers' Fire Insurance Company, reported a bill, entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 29th, 1833, and to extend the time for organizing the same;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Clyde in the county of Wayne, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Clyde in the county of Wayne;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Warren, and others, for an appropriation to build a bridge across the Hudson river, near its junction with the Schroom river, between the towns of Athol and Warrensburgh, reported; and asked leave to introduce a bill.

[See Document No. 126.]

*Ordered*, That leave be given to bring in such bill.

Mr. Hicks, according to leave, brought in the said bill, entitled "An act authorising the building of a bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the towns of Brighton and Pittsford in the county of Monroe, praying for authority to use the waters of the canal at the locks in said town, for hydraulic purposes, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of the president, directors and company of the North River Insurance Company in the city of

New-York, praying for an extension of the charter of said company, reported a bill, entitled "An act to extend for a limited period the charter of the North river insurance company of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Lucas Elmendorf, for a law authorising the Comptroller to execute deeds to him of two lots of land sold for taxes, reported; and asked leave to introduce two several bills.

[See Document No. 124.]

*Ordered,* That leave be given to bring in such bills.

Mr. M. H. Sibley, according to leave, brought in a bill, entitled "An act for the relief of Lucas Elmendorf," and also a bill entitled "An act to amend article third of title third of chapter thirteenth of the first part of the Revised Statutes, entitled 'Of sales for unpaid taxes, and the conveyance and redemption of lands sold;'" which were severally read the first time, and by unanimous consent were also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Gilbert D. Dillon, for relief, reported; and asked leave to introduce a bill.

[See Document No. 127.]

*Ordered,* That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the relief of Gilbert D. Dillon;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. D. Sibley, from the select committee to which was referred the petition of the inhabitants of the town of Gates, reported; and asked leave to introduce a bill.

[See Document No. 128.]

*Ordered,* That leave be given to bring in such bill.

Mr. D. Sibley, according to leave, brought in the said bill, entitled "An act fixing the time for holding the annual town meeting in the town of Gates in the county of Monroe;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from Greene C. Bronson was received and read, in the words following, to wit:

*Albany, February 5, 1835.*

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

Please communicate to the Assembly, my acceptance of the appointment by the Legislature to the office of Attorney-General, and my respectful acknowledgments for this renewed expression of the public confidence.

I am, with much respect,

Your obedient servant,

GREENE C. BRONSON.

The annual report of Epaphras Warren, an inspector of beef and pork in the county of Tompkins, was received and read.

[*See Document No. 269.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of J. D. Stevenson, an inspector of tobacco in the city of New-York, was received and read.

[*See Document No. 168.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Ithaca Mechanics' society;" and a bill entitled "An act authorising John Cockett and John Cockett junior, to maintain the dam erected by Samuel Crafts across the Susquehannah river."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to incorporate the Ithaca Mechanics' society," was referred to the committee on trade and manufactures; and the bill entitled "An act authorising John Cockett and John Cockett junior, to maintain the dam erected by Samuel Crafts across the Susquehannah river," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, severally to consider and report thereon.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Clinch; the same was again read, in the words following, to wit:

*Resolved*, That the Attorney-General be requested to report to this House, whether, in his opinion, the Legislature have power to prevent the issue of bills or notes of the smaller denominations, by banks, the charters of which the Legislature have not reserved the right of altering, modifying or amending.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative.

In pursuance of previous notice, Mr. Jackson asked for and obtained leave to bring in a bill, entitled "An act relative to grants of land under water in the counties of Suffolk, Queens and Kings;"

which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston asked for, and by the unanimous consent of the House, obtained leave to bring in two sections, to be annexed to the bill relative to the Second Dutch Church in the city of Albany; which were read the first time, and by unanimous consent were also read a second time, and committed to the committee of the whole when on the bill to which they relate.

*Ordered*, That the usual number of copies of the said sections be printed for the use of the Legislature.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. Sibley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Moore, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned till eleven o'clock to-morrow morning.

## FRIDAY, FEBRUARY 6, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the town of Eaton in the county of Madison, praying that the construction of the reservoirs for the Chenung canal in said town may be abandoned, and for other purposes, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a company to construct a turnpike road from Oxford in said county, to the village of Cortland in the county of Cortland, was read, and referred to the committee on

the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Ontario and Wayne, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Saratoga, praying for an appropriation from the State treasury, to improve a certain road therein mentioned, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Cayuga and Tompkins, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the high school district in the county of Monroe, praying for the repeal of the law in relation to said district, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the town of Manlius in the county of Onondaga, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The remonstrance of sundry inhabitants of the town of Grove in the county of Allegany, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act relative to the school connected with the alms-house of said city, was read, and referred to a select committee, consisting of the members attending this House from the city of New-York.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act authorising a per centage to be added to unpaid taxes in said city, was read, and referred to a select committee, consisting of the members attending this House from the city of New-York.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act authorising the appointment of an additional special justice for preserving the peace in said city, was read, and referred to a select committee, consisting of the members attending this House from the city of New-York.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act authorising the widening of Avenue C. from Third-street to Fifteenth-street in said city, was read, and referred to a select committee, consisting of the members attending this House from the city of New-York.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to vest certain lands, tenements and hereditaments in the said mayor, alder-

men and commonalty of the said city, was read, and referred to a select committee, consisting of the members attending this House from the city of New-York.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the mayor, aldermen and commonalty of the city of Albany, praying for an equalization of the wards in said city, and for leave to close Court-street, reported a bill, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of sundry inhabitants of the city of Utica, praying for amendments to the Revised Statutes, relative to sales at auction in said city, reported a bill, entitled "An act relating to sales at public auction in the city of Utica;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Chenango and Cortland, praying for the incorporation of a company to construct a turnpike road from the village of Oxford to Cortland village, reported a bill, entitled "An act to incorporate the Oxford and Cortlandville turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. A. Clark, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of Monroe, praying a repeal of the law of last session, prohibiting the use of the water on the Erie canal for hydraulic purposes, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the memorial of the trustees of the Greenwich Savings Bank, for an amendment of their charter, reported a bill, entitled "An act relative to the Greenwich savings bank;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That Mr. Horton have leave of absence for three days, Mr. Hiller for five days, and Mr. Thorn for ten days.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and

after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

## SATURDAY, FEBRUARY 7, 1835.

The House met pursuant to adjournment.

The petition of Isaac Bucklin and others of the county of Albany, praying for the incorporation of a company, by the name and style of the West-Troy Caoutchouc Manufacturing Company, with a capital of two hundred thousand dollars, was read, and referred to a select committee, consisting of the members attending this House from the city and county of Albany.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of a canal from Rochester to Olean, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of James Elger, an alien, praying for authority to take, hold and convey real estate, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the county of St. Lawrence, praying for an alteration of the poor laws, so far as relates to that county, was read, and referred to a select committee, consisting of the members attending this House from the counties of St. Lawrence, Franklin and Clinton.

The petition of Thomas Miller of the county of Genesee, praying for a consideration and alteration of certain laws therein mentioned, was read, and referred to the committee on ways and means.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petitions of sundry inhabitants of the counties of Saratoga, Rensselaer, Oneida, Lewis, Albany, Madison and New-York, praying for the repeal of the law that restricts botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Otsego, praying for the construction of a M'Adam road from Albany to Owego, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The memorial of the common council of the city of Brooklyn, in



relation to the ferries between the cities of New-York and Brooklyn, was read, and referred to the select committee on that subject, of which Mr. Roosevelt is chairman.

The petition of sundry inhabitants of the county of Broome, praying for the extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the towns of Le Roy and Bergen in the county of Genesee, praying for the passage of an act to change the name of the First Methodist Episcopal Society of said towns, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the town of Manlius in the county of Onondaga, praying for an alteration of the county line between the counties of Onondaga and Madison, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the town of Salina in the county of Onondaga, praying to be relieved from the tax of pumping salt water, was read, and referred to the committee on the manufacture of salt.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tompkins, praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the town of Nelson in the county of Madison, praying that the construction of the reservoirs on the Chenango canal in said town may be abandoned, and that the waters of the Oriskany creek may be taken to supply said canal, was read, and referred to the committee on canals and internal improvements.

The petition of John S. Quackenboss and others of the county of Montgomery, heirs at law of Abraham D. Quackenboss, a soldier of the revolution, praying for military bounty lands, was read, and referred to the Commissioners of the Land-Office.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Ithaca Mechanics' Society," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act authorising John Cockett and John Cockett junior, to maintain the dam erected by Samuel Crafts across the

Susquehannah river," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the directors of the Payne's Bridge Company at Sag-Harbor, praying for an increase of their capital stock, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed March 5th, 1834;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Onondaga, praying for a renewal of the act entitled "An act to authorise John Wall to erect a toll-bridge across the Oswego river," passed April 20th, 1830, reported a bill, entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Solomon Davis, with the affidavit and certificates thereto annexed, reported; and asked leave to introduce a bill.

[*See Document No. 183.*]

*Ordered,* That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the sale and conveyance to Solomon Davis, of lot number thirty-one in the two mile tract in the county of Oneida;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the memorial of the trustees of Mount-Pleasant Academy, reported; and asked leave to introduce a bill.

[*See Document No. 132.*]

*Ordered,* That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act for the relief of Mount-Pleasant academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the select committee on the subject of the establishment of additional ferries between New-York and Long Island, reported; and asked leave to introduce a bill.

[See Document No. 138.]

*Ordered,* That leave be given to bring in such bill.

Mr. Roosevelt, according to leave, brought in the said bill, entitled "An act to establish and regulate ferries between the city of New-York and Long-Island;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered,* That four times the usual number of copies of the said report be printed for the use of the Legislature.

A message from the Senate was read, informing that they have passed the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act relative to the destruction of bears in Oneida county," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to divide the town of Perrysburgh in the county of Cattaraugus," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act relative to the sales of lands for taxes."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on ways and means.

A communication from the Secretary of State was received and read, in the words following, to wit:

The Secretary of State, in pursuance of the provisions of section seventy-nine of the second title of the twentieth chapter of part first of the Revised Statutes, has the honor to submit to the Legislature, abstracts of the reports of the superintendents of the poor in the several counties in the State.

[See Document No. 185.]

**Ordered,** That the said report be referred to the select committee on so much of the Governor's message as relates to the poor;

The annual report of E. L. Boynton, an inspector of beef and pork in the city of Troy, was received and read.

[See Document No. 279.]

**Ordered,** That the said report be referred to the committee on trade and manufactures.

A communication from the Comptroller was received and read, in the words following, to wit:

The Comptroller, in obedience to a resolution from the Assembly, requiring him to report to the House the amount of tolls received for transportation on the Chemung canal during the last year, on each of the following articles, to wit, lumber, coal, wheat and flour, respectfully reports:

[See Document No. 159.]

**Ordered,** That the said report be referred to the committee on canals and internal improvements.

Mr. Stetson gave notice that he would, at some future day, ask leave to introduce a bill, amending the act entitled "An act relative to the Port-Kent and Hopkinton road."

Mr. T. Lewis gave notice that he would, on some future day, ask leave to introduce a bill, to amend the act entitled "An act to incorporate the Genesee manual labor seminary," passed March 27, 1834.

Mr. Wylie gave notice that he would, at some future day, ask leave to introduce a bill, to amend so much of the Revised Statutes as relates to the removal of causes from justices' courts, by appeal or certiorari, to the court of common pleas, and provide for the removal of the same to a special justice's court in the town where they may originate.

**Ordered,** That the committee on the erection and division of towns and counties, be discharged from the consideration of the remonstrance of sundry inhabitants of the county of Allegany, against a division of the town of Grove in said county; and that the same be committed to the committee of the whole when on the bill upon that subject.

**Ordered,** That Mr. Van Benthuisen have leave of absence for three days.

On motion of Mr. Krum,

**Resolved,** That the committee on public lands be instructed to inquire into the expediency of amending the act so as to extend the time of filing the bond for the payment of a portion of the purchase money for lands hereafter sold by the Surveyor-General.

On motion of Mr. Adams,

**Resolved,** That the committee on grievances be discharged from the further consideration of the petition of inhabitants of the county of Tioga, for damages sustained by the construction of the Che-

ming canal; and that the same be referred to the committee on canals and internal improvements.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock on Monday morning next.

## MONDAY, FEBRUARY 9, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Steuben, praying for the appointment of commissioners to lay out a road from the city of Buffalo to the village of Bath in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Two several petitions of sundry inhabitants of the counties of Onondaga and Wayne, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Chautauque and Cattaraugus, praying for the erection of a new county from parts of said counties, was read, and referred to the committee on the erection and division of towns and counties.

The petition of the New-York and Erie Rail-Road Company, praying the Legislature to authorise a subscription on the part of the State, of two millions of dollars of the stock of said company, or a loan of the credit of the State to the like amount, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Delaware, praying for aid from the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of Joseph Waggoner of the county of Montgomery, praying for damages alleged to have been sustained by the construction and reparation of the Erie canal, was read, and referred to the Canal Commissioners.

The petition of sundry inhabitants of the county of Essex, praying for aid from the State in the construction of a road from Whitehall in the county of Washington, to Port Henry in the county of Essex, was read, and referred to the committee on the establish-

ment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tioga, praying for the extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chautauque, praying for the incorporation of a mutual fire insurance company in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the city and county of New-York, praying for an alteration in the public school system in the said city, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Madison, praying that the construction of the reservoirs on the Chenango canal in said county may be abandoned, and that the waters of the Oriskany creek may be taken to supply said canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Queens, praying for the incorporation of a turnpike road and bridge company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city of New-York, praying for additional ferries between that city and Long Island, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the construction of a canal connecting the waters of the Genesee and Allegany rivers, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Ulster, praying for the incorporation of a steam-boat company, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Allegany, praying for the construction of a rail-road from Lake Erie to the city of New-York, was read, and referred to the committee on rail-roads.

The remonstrance of sundry butchers of the city of New-York, against the passage of a law vesting certain powers in the common council of said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

The petition of Posteritas Pope Benton of the city of New-York, praying for the passage of an act authorising him to change his name, was read, and referred to a select committee, consisting of Mr. Clinch, Mr. Ringgold and Mr. Lockwood.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the county of Niagara, against the passage of an act giving to John Phillips the right of keeping a ferry across the Niagara river at Youngstown, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Kingston in the county of Ulster, against the act amending the charter of said village, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of the Auburn and Syracuse Rail-Road Company, praying for the passage of an act authorising the keeper of the Auburn State Prison to hire the convicts in said prison to said company, to be employed in making their road, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a canal around the Niagara falls on the American side, was read, and referred to the committee on canals and internal improvements.

The petition of Mary Seymour of the county of Washington, praying for a divorce, was read, and referred to the committee on the judiciary.

The remonstrance of sundry inhabitants of the town of Almond in the county of Allegany, against the division of said town, was read, and ordered to be laid upon the table.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Cash, from the committee on ways and means, to which was referred the communication from the commissioners under the act of the last session of the Legislature, entitled "An act authorising a loan for the benefit of the people of this State," reported; and offered the following resolution:

[See Document No. 144.]



ment and improvement of roads and bridges, and the incorporation of turnpike companies.

- The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tioga, praying for the extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chautauque, praying for the incorporation of a mutual fire insurance company in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the city and county of New-York, praying for an alteration in the public school system in the said city, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Madison, praying that the construction of the reservoirs on the Chenango canal in said county may be abandoned, and that the waters of the Oriskany creek may be taken to supply said canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Queens, praying for the incorporation of a turnpike road and bridge company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city of New-York, praying for additional ferries between that city and Long Island, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the construction of a canal connecting the waters of the Genesee and Allegany rivers, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Ulster, praying for the incorporation of a steam-boat company, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Allegany, praying for the construction of a rail-road from Lake Erie to the city of New-York, was read, and referred to the committee on rail-roads.



The remonstrance of sundry butchers of the city of New-York, against the passage of a law vesting certain powers in the common council of said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

The petition of Posteritas Pope Benton of the city of New-York, praying for the passage of an act authorising him to change his name, was read, and referred to a select committee, consisting of Mr. Clinch, Mr. Ringgold and Mr. Lockwood.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the county of Niagara, against the passage of an act giving to John Phillips the right of keeping a ferry across the Niagara river at Youngstown, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Kingston in the county of Ulster, against the act amending the charter of said village, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of the Auburn and Syracuse Rail-Road Company, praying for the passage of an act authorising the keeper of the Auburn State Prison to hire the convicts in said prison to said company, to be employed in making their road, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a canal around the Niagara falls on the American side, was read, and referred to the committee on canals and internal improvements.

The petition of Mary Seymour of the county of Washington, praying for a divorce, was read, and referred to the committee on the judiciary.

The remonstrance of sundry inhabitants of the town of Almond in the county of Allegany, against the division of said town, was read, and ordered to be laid upon the table.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Cash, from the committee on ways and means, to which was referred the communication from the commissioners under the act of the last session of the Legislature, entitled "An act authorising a loan for the benefit of the people of this State," reported; and offered the following resolution:

[See Document No. 144.]

**Resolved,** That inasmuch as the act entitled "An act authorising a loan for the benefit of the people of this State," has expired by its own limitation, and the object for which it was enacted (and which it so admirably accomplished) having passed away, there is no necessity at the present time for its revival, and that no further legislation is required on the subject.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Parley Eaton, praying for the passage of an act authorising him to hold the office of commissioner of deeds, and for other purposes, reported a bill, entitled "An act to authorise Parley Eaton to take the oath of a commissioner of deeds;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Charles Waggoner of the town of Palatine in the county of Montgomery, praying for the passage of an act authorising him to hold the office of justice of the peace in said town, and for other purposes, reported a bill, entitled "An act to authorise Charles Waggoner to take the oath of office prescribed by law for a justice of the peace;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Roosevelt, from the committee on the judiciary, to which was referred the resolution of the Senate of the 30th January, relative to transmitting copies of the Revised Statutes and Session Laws, and also a copy of Burr's map and atlas, and other documents, to the Commissioners of Public Records of the United Kingdom of Great Britain and Ireland, reported, that the committee had examined the said resolution, and recommend that the same be amended, by inserting the word "instructed" in lieu of the word "authorised," where it occurs in the said resolution; and also by striking out all of the said resolution after the word "Ireland," where it occurs in the said resolution, and inserting in lieu thereof the following: "communicating to them at the same time the respectful acknowledgments of the Legislature, for the valuable present of a set of the Record Publications of Great Britain, recently transmitted by them to the Trustees of the State Library."

Thereupon,

The said resolution being amended agreeably to the report of the committee, the same was again read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Trustees of the State Library be instructed to transmit two copies of the Revised Statutes of this State, with two copies of the Session Laws since the last revision, a copy of Burr's Atlas, and also a copy of the Journal and Legislative Documents so far as the same can be furnished, to the Commissioners of the Public Records of the United Kingdom of Great Britain and Ireland; communicating to them at the same time the respectful acknowledgments of the Legislature, for the valuable present of a set of the Record Publications of Great Britain, recently transmitted by them to the Trustees of the State Library.

Thereupon,

*Ordered*, That the Clerk return the said resolution to the Senate, and inform them that this House have concurred with them in the said resolution, with the amendments thereto therewith delivered.

Mr. Plumb, from the select committee to which was referred the petition of Hiram Pratt, treasurer of the county of Erie, reported; and asked leave to introduce a bill.

[*See Document No. 136.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Plumb, according to leave, brought in the said bill, entitled "An act to loan money to the county of Erie;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to divide the town of Perrysburgh in the county of Cattaraugus."

W. L. MARCY.

*Albany, February 7, 1835.*

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, to whom was referred by the Assembly, the memorial of S. Newton Dexter, respectfully report:

[*See Document No. 134.*]

*Ordered*, That the said report be referred to the committee on public lands.

The annual report of the trustees of the Geenwich Savings Bank in the city of New-York, was received and read.

[*See Document No. 278.*]

*Ordered*, That the said report be laid upon the table.

The annual report of Henry Strang, an inspector of beef and pork in the county of Westchester, was received and read.

[*See Document No. 279.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

On motion of Mr. Carr,

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be directed to inquire into the propriety of altering the charter of the New-York Life Insurance and Trust Company, so as to limit the duration of said company.

On motion of Mr. King,

*Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of extending the time of holding the terms of the Supreme Court.

Mr. Adams gave notice that he would, on some future day, ask leave to introduce a bill, prohibiting grocers or other dealers in strong or spirituous liquors from selling or causing to be sold, any such strong or spirituous liquors to paupers or persons in any manner assisted in their support by the public bounty; and to prevent all persons from purchasing any clothing or effects from any such pauper or person, knowing them to be such.

On motion of Mr. Tomlinson,

*Resolved*, That Senate Document No. 14, relative to a road from Whitehall to Port Henry, be referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

*Ordered*, That Mr. Bennet and Mr. Cadwell have leave of absence for ten days each, Mr. Jackson for eight days, Mr. Harvey and Mr. Hicks for six days each, and Mr. Ingersoll for three days.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Patterson made a motion that the House should agree to amend the report of the committee of the whole, by striking out all after the first section of the said bill, and inserting in lieu thereof the following:

§ 2. There shall be paid by the treasurer, on the warrant of the comptroller, to the register and assistant register in the court of chancery, and to the clerks of the supreme court, each the sum of two thousand dollars annually, to be paid quarterly after the first day of April next.

§ 3. From and after the first day of April next, the register and assistant register of the court of chancery, and the several clerks of the supreme court, shall keep an accurate account of all perquisites, fees or emoluments received by such clerk, register or assistant register, for any services done or performed by him or his deputy, in his official capacity, by virtue of any law of this State; and of all fees or emoluments which such clerk, register or assistant register shall be entitled to demand and receive for services rendered by them or either of them, in their official capacity, pursuant to law; which several sums of money shall be by them respectively deposited in such bank as the comptroller may direct, to the credit of the treasury of this State, on the first day of July next, and quarterly thereafter.

§ 4. The said register and assistant register, and each of the said clerks, shall make out and transmit quarterly, after the first day of April next, to the comptroller, a statement of the names of all persons from whom they may have received any fees or emoluments, and the amount received from each person; and they shall require payment for all services rendered by them officially for any person.

§ 5. The statement mentioned in the last preceding section, shall be verified by the oath of the clerk, register or assistant register making the same.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Patterson, it was determined in the negative.

{ NAYS 72 }  
{ AYES 29 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Denniston	Mr. Phillips
Mr. Anthony	Mr. Eldred	Mr. Powers
Mr. Baker	Mr. Finch	Mr. Preston
Mr. Barnes	Mr. Fisher	Mr. Quackenboss
Mr. Beecher	Mr. Gray	Mr. Rice
Mr. Benjamin	Mr. Griswold	Mr. Ringgold
Mr. Brooks	Mr. J. Haskell	Mr. Roosevelt
Mr. A. Brown	Mr. Herttell	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. Speaker
Mr. Carpenter	Mr. Kent	Mr. Stetson
Mr. Carr	Mr. King	Mr. Stevens

Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. Livingston	Mr. Tillinghast
Mr. Clinch	Mr. Lockwood	Mr. Van Bergen
Mr. Coe	Mr. Loomis	Mr. Wager
Mr. Conklin	Mr. Lytle	Mr. Warren
Mr. Crain	Mr. Mallory	Mr. Wetmore
Mr. Crary	Mr. Ogden	Mr. Wheeler
Mr. Crosby	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Crowell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Cuykendall	Mr. Parker	Mr. Woodbury
Mr. Davis	Mr. Peck	Mr. A. Woodworth
Mr. Dayan	Mr. Pettit	Mr. Wyhe 72

Those who voted in the affirmative are

Mr. Blatchly	Mr. M'Kie	Mr. M. H. Sibley
Mr. Burke	Mr. M'Neil	Mr. Simmons
Mr. Burr	Mr. Moore	Mr. C. Strong
Mr. C. Clark	Mr. Moseley	Mr. E. Strong
Mr. Hendee	Mr. Niles	Mr. Tomlinson
Mr. Hildreth	Mr. Ostrom	Mr. Tyrrel
Mr. Hutchinson	Mr. Patterson	Mr. Waldron
Mr. J. W. Lewis	Mr. Phamb	Mr. Woodward
Mr. T. Lewis	Mr. Richmond	Mr. W. Woodworth
Mr. M'Cluer	Mr. D. Sibley 29	

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 61 }  
{ NAYS 40 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Powers
Mr. Anthony	Mr. Gray	Mr. Quackenboss
Mr. Baker	Mr. Griswold	Mr. Rice
Mr. Barnes	Mr. J. HaskeH	Mr. Ringgold
Mr. Brooks	Mr. Herttell	Mr. Roosevelt
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Carr	Mr. Kent	Mr. Shepard
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. Clinch	Mr. Livingston	Mr. Stevens
Mr. Conklin	Mr. Lockwood	Mr. Tomlinson
Mr. Crain	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Warren

Mr. Crowell	Mr. Ogden	Mr. Wetmore
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Wheeler
Mr. Davis	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Dayan	Mr. Parker	Mr. Wilkinson
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Eldred	Mr. Phillips	Mr. A. Woodworth
Mr. Finch		61

Those who voted in the negative are

Mr. Beecher	Mr. J. W. Lewis	Mr. Richmond
Mr. Benjamin	Mr. T. Lewis	Mr. D. Sibley
Mr. Blatchly	Mr. Mallory	Mr. M. H. Sibley
Mr. A. Brown	Mr. McCluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Barnum	Mr. M'Neil	Mr. E. Strong
Mr. Barr	Mr. Moore	Mr. Suffern
Mr. Carpenter	Mr. Moseley	Mr. Tillinghast
Mr. C. Clark	Mr. Ostrom	Mr. Tyrrel
Mr. Coe	Mr. Patterson	Mr. Waldron
Mr. Hendee	Mr. Peck	Mr. Woodward
Mr. Hildreth	Mr. Plumb	Mr. W. Woodworth
Mr. Hutchinson	Mr. Preston	Mr. Wylie
Mr. Jones		40

*Ordered*, That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

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## TUESDAY, FEBRUARY 10, 1835.

The House met pursuant to adjournment.

Mr. Hall, a member of Assembly, duly elected in the city and county of New-York, appeared in the Assembly chamber, and took and subscribed the oath prescribed by the Constitution.

*Ordered*, That Mr. Hall do take his seat.

The petition of sundry inhabitants of the town of Hermon in the county of St. Lawrence, praying for a change of the name of said town, was read, and referred to the committee on the erection and division of towns and counties.

The remonstrance of sundry inhabitants of the county of Oneida, against oppressive practices on the part of certain manufacturing incorporations, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the town of Eaton in the

county of Madison, praying for the abandonment of the construction of the Eaton reservoirs of the Chenango canal, and for other purposes, was read, referred to the committee on canals and internal improvements.

The memorial of Robert Sanders and others of the town of Glenville in the county of Schenectady, relative to the Utica and Schenectady Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city and county of New-York, praying for the construction of the Rochester and Olean canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Delaware and Otsego, praying for the incorporation of a company to construct a turnpike road from Oneonta in the county of Otsego, to the village of Franklin in the county of Delaware, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Dutchess, praying for a repeal or modification of the law abolishing imprisonment for debt, was read, and referred to the select committee on that subject, of which Mr. Jones is chairman.

The petition of sundry inhabitants of the county of Ulster, praying for the repeal of the law which prohibits botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The remonstrance of sundry inhabitants of the town of Hermon in the county of St. Lawrence, against any change of the name of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for the repeal of the law restricting botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at Owego in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Oneida and Jefferson, praying for an amendment of the charter of the Oneida and Jefferson Turnpike Road Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.



The petition of sundry inhabitants of the counties of Ontario and Seneca, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Herkimer, praying for an alteration of the law which authorises the service of declarations in suits at law by persons other than sheriffs, was read, and referred to the committee on the judiciary.

The petition of the commissioners of the New-York and Albany Rail-Road Company, praying for an amendment of their charter, was read, and referred to the committee on rail-roads.

The petition of the president, directors and company of the New-York and Harlaem Rail-Road Company, praying for an amendment of their charter, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Steuben, praying for the passage of an act authorising Thomas M'Burney and others to construct a canal from the Chemung canal dam to the village of Centerville in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

Eleven several petitions of sundry persons residing on or near the line of the Crooked lake canal, praying for damages alleged to have been sustained by the diversion of the waters of said lake to supply the canal, were read, and referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Manlius in the county of Onondaga, praying for a division of said town, reported a bill, entitled "An act to divide the town of Manlius in the county of Onondaga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Dayan, from the committee on ways and means, to which was referred the engrossed bill from the Senate, entitled "An act relative to sales of lands for taxes," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petitions of Nathan Bumpus and others, asking for a compensation for claims upon lots of land, numbers twenty-eight

and sixty-four in the Freemason's patent in the town of Litchfield in the county of Herkimer, reported; and asked leave to introduce a bill.

[See Document No. 137.]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled "An act to settle the claims of Nathan Bumpus and others, against the State, for money paid on lots twenty-eight and sixty-four in the Freemason's patent, county of Herkimer;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Zebulon Douglass, for compensation for extra labor done on the Erie canal, reported; and offered the following resolution:

[See Document No. 142.]

*Resolved*, That the prayer of the petition of Zebulon Douglass, for compensation for extra labor on the Erie canal, be denied.

Thereupon,

Mr. Hough made a motion that the House should agree to a substitute for the said resolution, in the words following, to wit:

*Resolved*, That the committee on claims be instructed to bring in a bill for the relief of Zebulon Douglass, under their report upon his petition.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hough, and it was determined in the affirmative.

Thereupon,

Mr. M. H. Sibley, in pursuance of the said resolution, brought in a bill, entitled "An act to compensate Zebulon Douglass for extra labor on the Erie canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The Senate sent for concurrence, a bill entitled "An act for the relief of William Buell;" and a bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act for the relief of William Buell," was referred to the committee on canals and internal improvements; and the bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, severally to consider and report thereon.

A message from the Senate was read, informing that they have

concurred with this House in its amendments to the resolution relative to transmitting copies of the Revised Statutes, &c. to the Commissioners of Public Records of the United Kingdom of Great Britain and Ireland, and have amended the same accordingly.

The said amended resolution having been examined,

*Ordered*, That the Clerk return the same to the Senate.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to authorise Parley Eaton to take the oath of office as a commissioner of deeds;" the engrossed bill entitled "An act to authorise Charles Waggoner to take the oath of office prescribed by law for a justice of the peace;" and the engrossed bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to authorise Parley Eaton to take the oath of office as a commissioner of deeds," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to authorise Charles Waggoner to take the oath of office prescribed by law for a justice of the peace," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 62 }  
{ NAYS 47 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Powers
Mr. Anthony	Mr. Griswold	Mr. Quackenboss
Mr. Barnes	Mr. Hall	Mr. Rice
Mr. Brooks	Mr. J. Haskell	Mr. Ringgold
Mr. Burhans	Mr. Herttell	Mr. Roosevelt
Mr. Carr	Mr. Hough	Mr. Shepard
Mr. Cash	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. King	Mr. Stetson
Mr. Conklin	Mr. Krum	Mr. Stevens
Mr. Crain	Mr. Livingston	Mr. Tomlinson
Mr. Crary	Mr. Lockwood	Mr. Van Bergen
Mr. Crosby	Mr. Loomis	Mr. Wager

Mr. Crowell	Mr. Lytle	Mr. Warren
Mr. Cuykendall	Mr. Niles	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. Palmer	Mr. Wilkinson
Mr. Eldred	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Pettit	Mr. A. Woodworth
Mr. Fisher	Mr. Phillips	

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Those who voted in the negative are

Mr. Baker	Mr. Hutchinson	Mr. Seger
Mr. Beecher	Mr. Jones	Mr. D. Sibley
Mr. Benjamin	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Blatchly	Mr. Mallory	Mr. Simmons
Mr. A. Brown	Mr. M'Cluer	Mr. C. Strong
Mr. Burke	Mr. M'Kie	Mr. E. Strong
Mr. Barnum	Mr. M'Neil	Mr. Suffern
Mr. Burr	Mr. Moore	Mr. Tillinghast
Mr. Carpenter	Mr. Moseley	Mr. Tyrrel
Mr. C. Clark	Mr. Odell	Mr. Van Benthuisen
Mr. Coe	Mr. Ostrom	Mr. Waldron
Mr. Groom	Mr. Patterson	Mr. Williams
Mr. Healy	Mr. Peck	Mr. Woodward
Mr. Hendee	Mr. Plumb	Mr. W. Woodworth
Mr. Hildreth	Mr. Preston	Mr. Wylie
Mr. Horton	Mr. Richmond	

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

*Ordered*, That Mr. Shafer have leave of absence for eight days, and Mr. Tomlinson for ten days.

*Ordered*, That the committee of the whole be discharged from the consideration of the bill entitled "An act fixing the time of holding the annual town meeting in the town of Gates in the county of Monroe," and that the same be ordered to be engrossed.

In pursuance of previous notice, Mr. Adams asked for and obtained leave to bring in a bill, entitled "An act to prevent the sale of strong or spirituous liquors to persons hereinafter mentioned, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, entitled "An act relative to the sales of lands for taxes," and that the same be ordered to a third reading.

Thereupon,

The said bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

On motion of Mr. Patterson,

*Resolved*, That the register and assistant register in Chancery, the clerks in the Court of Chancery, and the clerks of the Supreme Court, do severally report to this House, on or before the first day of March next, a full and accurate account of all sums of money received and charged by them respectively for their official services, between the first day of January, 1834, and the first day of January, 1835; including therein as well sums due to them for such services, as sums actually received: And that they also report at the same time, the amount of all the expenses incurred by them in the discharge of their official duties respectively, between the days before mentioned; specifying the amount paid for office rent, if any; the amount paid for clerk hire, and the names of the deputies and clerks employed by them respectively, and the length of time for which each person was employed, and the amount paid for stationary.

*Resolved*, That the Clerk of this House be directed to transmit a copy of the above resolution to each of the officers named therein, and obtain evidence of the same having been delivered to them respectively, without delay.

Mr. Ostrom gave notice that he would, on some future day, ask leave to introduce a bill in relation to mortgages upon personal property for the county of Schenectady.

Mr. Phillips gave notice that he would, on some future day, ask leave to introduce a bill to regulate the taking and summoning of juries in justices' courts.

Mr. Hough gave notice that he would hereafter ask leave to introduce a bill to provide for the appointment of a Supreme Court commissioner, to reside in the north part of the county of Madison.

Mr. Roosevelt gave notice of his intention to introduce a bill, to place the circuit judges on the same footing as the judges of the Supreme Court, in respect to the receiving of fees for judicial services.

On motion of Mr. Ogden,

*Resolved*, That the Clerk of this House be instructed to obtain two copies of volumes first, second and third of the American Railroad Journal, for the use of this House.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. Sibley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for auditing the accounts of certain town officers in the county of Dutchess;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 11, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Cayuga, praying for the incorporation of a company to construct a rail-road from Rochester to Auburn, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Ashford in the county of Cattaraugus, praying that part of said town may be annexed to the town of Otto in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Cattaraugus, praying for the erection of a new county from parts of the counties of Erie, Cattaraugus and Chautauque, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the town of Eaton in the county of Madison, praying that the reservoirs for the Chenango canal, now constructing in said town, may be abandoned, and the waters of the Oriskany creek taken to supply said canal, was read, referred to the committee on canals and internal improvements.

The petition of John Johnson, an Indian of the Brothertown tribe, praying for the passage of an act authorising him to sell and convey real estate, was read, and committed to the committee of the whole when on the bill relative to Holbrook Anderson.

The petition of sundry inhabitants of the city of New-York, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Albany and Rensselaer, praying for the passage of an act authorising the erection of a bridge across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Washington, praying for the incorporation of a company to erect a bridge across the Hudson river at Schuylerville, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a

company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of school district number one in the town of Salina; praying for the passage of an act authorising them to raise money by tax, to build a new school-house, and for other purposes, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from Utica to Syracuse, was read, and referred to the committee on rail-roads.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the several petitions and memorials of sundry inhabitants of the counties of Oneida, Lewis, Jefferson and St. Lawrence, praying for the construction of a canal from Rome in the county of Oneida, to the High falls on the Black river, and for the improvement of said river from the High falls to Carthage, reported; and asked leave to introduce a bill.

[See Document No. 150.]

*Ordered*, That leave be given to bring in such bills.

Mr. Wager, according to leave, brought in the said bill, entitled "An act for the construction of the Black river canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That five times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. Livingston, from the committee on the judiciary, to which was referred a resolution, instructing them to inquire into the propriety of repealing the law allowing other persons than the proper executive of the respective counties, to serve declarations, reported against making such repeal:

[See Document No. 146.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to exempt females from imprisonment on executions issued for costs only," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. Livingston	Mr. Tillinghast
Mr. Clinch	Mr. Lockwood	Mr. Van Bergen
Mr. Coe	Mr. Loomis	Mr. Wager
Mr. Conklin	Mr. Lytle	Mr. Warren
Mr. Crain	Mr. Mallory	Mr. Wetmore
Mr. Crary	Mr. Ogden	Mr. Wheeler
Mr. Crosby	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Crowell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Cuykendall	Mr. Parker	Mr. Woodbury
Mr. Davis	Mr. Peck	Mr. A. Woodworth
Mr. Dayan	Mr. Pettit	Mr. Wyhe

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Those who voted in the affirmative are

Mr. Blatchly	Mr. M'Kie	Mr. M. H. Sibley
Mr. Burke	Mr. M'Neil	Mr. Simmons
Mr. Burr	Mr. Moore	Mr. C. Strong
Mr. C. Clark	Mr. Moseley	Mr. E. Strong
Mr. Hendee	Mr. Niles	Mr. Tomlinson
Mr. Hildreth	Mr. Ostrom	Mr. Tyrrel
Mr. Hutchinson	Mr. Patterson	Mr. Waldron
Mr. J. W. Lewis	Mr. Plumb	Mr. Woodward
Mr. T. Lewis	Mr. Richmond	Mr. W. Woodworth
Mr. M'Cluer	Mr. D. Sibley	

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Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 61 }  
{ NAYS 40 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Powers
Mr. Anthony	Mr. Gray	Mr. Quackenboss
Mr. Baker	Mr. Griswold	Mr. Rice
Mr. Barnes	Mr. J. Haskell	Mr. Ringgold
Mr. Brooks	Mr. Hertell	Mr. Roosevelt
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Carr	Mr. Kent	Mr. Shepard
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. Clinch	Mr. Livingston	Mr. Stevens
Mr. Conklin	Mr. Lockwood	Mr. Tomlinson
Mr. Crain	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Warren



Mr. Crowell	Mr. Ogden	Mr. Wetmore
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Wheeler
Mr. Davis	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Dayan	Mr. Parker	Mr. Wilkinson
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Eldred	Mr. Phillips	Mr. A. Woodworth
Mr. Finch		61

Those who voted in the negative are

Mr. Beecher	Mr. J. W. Lewis	Mr. Richmond
Mr. Benjamin	Mr. T. Lewis	Mr. D. Sibley
Mr. Blatchly	Mr. Mallory	Mr. M. H. Sibley
Mr. A. Brown	Mr. M'Cluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Barnum	Mr. M'Neil	Mr. E. Strong
Mr. Burr	Mr. Moore	Mr. Suffern
Mr. Carpenter	Mr. Moseley	Mr. Tillinghast
Mr. C. Clark	Mr. Ostrom	Mr. Tyrrel
Mr. Coe	Mr. Patterson	Mr. Waldron
Mr. Hendee	Mr. Peck	Mr. Woodward
Mr. Hildreth	Mr. Plumb	Mr. W. Woodworth
Mr. Hutchinson	Mr. Preston	Mr. Wylie
Mr. Jones		40

*Ordered,* That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

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## TUESDAY, FEBRUARY 10, 1835.

The House met pursuant to adjournment.

Mr. Hall, a member of Assembly, duly elected in the city and county of New-York, appeared in the Assembly chamber, and took and subscribed the oath prescribed by the Constitution.

*Ordered,* That Mr. Hall do take his seat.

The petition of sundry inhabitants of the town of Hermon in the county of St. Lawrence, praying for a change of the name of said town, was read, and referred to the committee on the erection and division of towns and counties.

The remonstrance of sundry inhabitants of the county of Oneida, against oppressive practices on the part of certain manufacturing incorporations, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the town of Eaton in the

county of Madison, praying for the abandonment of the construction of the Eaton reservoirs of the Chenango canal, and for other purposes, was read, referred to the committee on canals and internal improvements.

The memorial of Robert Sanders and others of the town of Glenville in the county of Schenectady, relative to the Utica and Schenectady Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city and county of New-York, praying for the construction of the Rochester and Olean canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Delaware and Otsego, praying for the incorporation of a company to construct a turnpike road from Oneonta in the county of Otsego, to the village of Franklin in the county of Delaware, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Dutchess, praying for a repeal or modification of the law abolishing imprisonment for debt, was read, and referred to the select committee on that subject, of which Mr. Jones is chairman.

The petition of sundry inhabitants of the county of Ulster, praying for the repeal of the law which prohibits botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The remonstrance of sundry inhabitants of the town of Hermon in the county of St. Lawrence, against any change of the name of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for the repeal of the law restricting botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at Owego in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Oneida and Jefferson, praying for an amendment of the charter of the Oneida and Jefferson Turnpike Road Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Ontario and Seneca, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Herkimer, praying for an alteration of the law which authorises the service of declarations in suits at law by persons other than sheriffs, was read, and referred to the committee on the judiciary.

The petition of the commissioners of the New-York and Albany Rail-Road Company, praying for an amendment of their charter, was read, and referred to the committee on rail-roads.

The petition of the president, directors and company of the New-York and Harlaem Rail-Road Company, praying for an amendment of their charter, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Steuben, praying for the passage of an act authorising Thomas M'Burney and others to construct a canal from the Chemung canal dam to the village of Centerville in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

Eleven several petitions of sundry persons residing on or near the line of the Crooked lake canal, praying for damages alleged to have been sustained by the diversion of the waters of said lake to supply the canal, were read, and referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Manlius in the county of Onondaga, praying for a division of said town, reported a bill, entitled "An act to divide the town of Manlius in the county of Onondaga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Dayan, from the committee on ways and means, to which was referred the engrossed bill from the Senate, entitled "An act relative to sales of lands for taxes," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petitions of Nathan Bumpus and others, asking for a compensation for claims upon lots of land, numbers twenty-eight

and sixty-four in the Freemason's patent in the town of Litchfield in the county of Herkimer, reported; and asked leave to introduce a bill.

[*See Document No. 137.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled "An act to settle the claims of Nathan Bumpus and others, against the State, for money paid on lots twenty-eight and sixty-four in the Freemason's patent, county of Herkimer;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Zebulon Douglass, for compensation for extra labor done on the Erie canal, reported; and offered the following resolution:

[*See Document No. 142.*]

*Resolved*, That the prayer of the petition of Zebulon Douglass, for compensation for extra labor on the Erie canal, be denied.

Thereupon,

Mr. Hough made a motion that the House should agree to a substitute for the said resolution, in the words following, to wit:

*Resolved*, That the committee on claims be instructed to bring in a bill for the relief of Zebulon Douglass, under their report upon his petition.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Hough, and it was determined in the affirmative.

Thereupon,

Mr. M. H. Sibley, in pursuance of the said resolution, brought in a bill, entitled "An act to compensate Zebulon Douglass for extra labor on the Erie canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The Senate sent for concurrence, a bill entitled "An act for the relief of William Buell;" and a bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act for the relief of William Buell," was referred to the committee on canals and internal improvements; and the bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, severally to consider and report thereon.

A message from the Senate was read, informing that they have

concurred with this House in its amendments to the resolution relative to transmitting copies of the Revised Statutes, &c. to the Commissioners of Public Records of the United Kingdom of Great Britain and Ireland, and have amended the same accordingly.

The said amended resolution having been examined,

*Ordered*, That the Clerk return the same to the Senate.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to authorise Parley Eaton to take the oath of office as a commissioner of deeds;" the engrossed bill entitled "An act to authorise Charles Waggoner to take the oath of office prescribed by law for a justice of the peace;" and the engrossed bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges;" and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to authorise Parley Eaton to take the oath of office as a commissioner of deeds," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to authorise Charles Waggoner to take the oath of office prescribed by law for a justice of the peace," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 62 }  
{ NAYS 47 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Powers
Mr. Anthony	Mr. Griswold	Mr. Quackenboss
Mr. Barnes	Mr. Hall	Mr. Rice
Mr. Brooks	Mr. J. Haskell	Mr. Ringgold
Mr. Burhans	Mr. Herttell	Mr. Roosevelt
Mr. Carr	Mr. Hough	Mr. Shepard
Mr. Cash	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. King	Mr. Stetson
Mr. Conklin	Mr. Krum	Mr. Stevens
Mr. Crain	Mr. Livingston	Mr. Tomlinson
Mr. Crary	Mr. Lockwood	Mr. Van Bergen
Mr. Crosby	Mr. Loomis	Mr. Wager

Mr. Crowell	Mr. Lytle	Mr. Warren
Mr. Cuykendall	Mr. Niles	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. Palmer	Mr. Wilkinson
Mr. Eldred	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Pettit	Mr. A. Woodworth
Mr. Fisher	Mr. Phillips	62

Those who voted in the negative are

Mr. Baker	Mr. Hutchinson	Mr. Seger
Mr. Beecher	Mr. Jones	Mr. D. Sibley
Mr. Benjamin	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Blatchly	Mr. Mallory	Mr. Simmons
Mr. A. Brown	Mr. M'Cluer	Mr. C. Strong
Mr. Burke	Mr. M'Kie	Mr. E. Strong
Mr. Barnum	Mr. M'Neil	Mr. Suffern
Mr. Burr	Mr. Moore	Mr. Tillinghast
Mr. Carpenter	Mr. Moseley	Mr. Tyrrel
Mr. C. Clark	Mr. Odell	Mr. Van Benthuisen
Mr. Coe	Mr. Ostrom	Mr. Waldron
Mr. Groom	Mr. Patterson	Mr. Williams
Mr. Healy	Mr. Peck	Mr. Woodward
Mr. Hendee	Mr. Plumb	Mr. W. Woodworth
Mr. Hildreth	Mr. Preston	Mr. Wylie
Mr. Horton	Mr. Richmond	47

*Ordered,* That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

*Ordered,* That Mr. Shafer have leave of absence for eight days, and Mr. Tomlinson for ten days.

*Ordered,* That the committee of the whole be discharged from the consideration of the bill entitled "An act fixing the time of holding the annual town meeting in the town of Gates in the county of Monroe," and that the same be ordered to be engrossed.

In pursuance of previous notice, Mr. Adams asked for and obtained leave to bring in a bill, entitled "An act to prevent the sale of strong or spirituous liquors to persons hereinafter mentioned, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered,* That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, entitled "An act relative to the sales of lands for taxes," and that the same be ordered to a third reading.

Thereupon,

The said bill was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.



On motion of Mr. Patterson,

*Resolved*, That the register and assistant register in Chancery, the clerks in the Court of Chancery, and the clerks of the Supreme Court, do severally report to this House, on or before the first day of March next, a full and accurate account of all sums of money received and charged by them respectively for their official services, between the first day of January, 1834, and the first day of January, 1835; including therein as well sums due to them for such services, as sums actually received: And that they also report at the same time, the amount of all the expenses incurred by them in the discharge of their official duties respectively, between the days before mentioned; specifying the amount paid for office rent, if any; the amount paid for clerk hire, and the names of the deputies and clerks employed by them respectively, and the length of time for which each person was employed, and the amount paid for stationary.

*Resolved*, That the Clerk of this House be directed to transmit a copy of the above resolution to each of the officers named therein, and obtain evidence of the same having been delivered to them respectively, without delay.

Mr. Ostrom gave notice that he would, on some future day, ask leave to introduce a bill in relation to mortgages upon personal property for the county of Schenectady.

Mr. Phillips gave notice that he would, on some future day, ask leave to introduce a bill to regulate the taking and summoning of juries in justices' courts.

Mr. Hough gave notice that he would hereafter ask leave to introduce a bill to provide for the appointment of a Supreme Court commissioner, to reside in the north part of the county of Madison.

Mr. Roosevelt gave notice of his intention to introduce a bill, to place the circuit judges on the same footing as the judges of the Supreme Court, in respect to the receiving of fees for judicial services.

On motion of Mr. Ogden,

*Resolved*, That the Clerk of this House be instructed to obtain two copies of volumes first, second and third of the American Rail-Road Journal, for the use of this House.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mountain turn-pike road in the county of Schoharie;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. D. Sibley, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for auditing the accounts of certain town officers in the county of Dutchess;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

## WEDNESDAY, FEBRUARY 11, 1835.

**The House met pursuant to adjournment.**

**The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.**

**The petition of sundry inhabitants of the county of Cayuga, praying for the incorporation of a company to construct a rail-road from Rochester to Auburn, was read, and referred to the committee on rail-roads.**

**The petition of sundry inhabitants of the town of Ashford in the county of Cattaraugus, praying that part of said town may be annexed to the town of Otto in said county, was read, and referred to the committee on the erection and division of towns and counties.**

**The petition of sundry inhabitants of the county of Cattaraugus, praying for the erection of a new county from parts of the counties of Erie, Cattaraugus and Chautauque, was read, and referred to the committee on the erection and division of towns and counties.**

**The petition of sundry inhabitants of the town of Eaton in the county of Madison, praying that the reservoirs for the Chenango canal, now constructing in said town, may be abandoned, and the waters of the Oriskany creek taken to supply said canal, was read, referred to the committee on canals and internal improvements.**

**The petition of John Johnson, an Indian of the Brothertown tribe, praying for the passage of an act authorising him to sell and convey real estate, was read, and committed to the committee of the whole when on the bill relative to Holbrook Anderson.**

**The petition of sundry inhabitants of the city of New-York, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.**

**The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.**

**The petition of sundry inhabitants of the counties of Albany and Rensselaer, praying for the passage of an act authorising the erection of a bridge across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.**

**The petition of sundry inhabitants of the county of Washington, praying for the incorporation of a company to erect a bridge across the Hudson river at Schuylerville, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.**

**The petition of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a**



company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of school district number one in the town of Salina; praying for the passage of an act authorising them to raise money by tax, to build a new school-house, and for other purposes, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from Utica to Syracuse, was read, and referred to the committee on rail-roads.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the several petitions and memorials of sundry inhabitants of the counties of Oneida, Lewis, Jefferson and St. Lawrence, praying for the construction of a canal from Rome in the county of Oneida, to the High falls on the Black river, and for the improvement of said river from the High falls to Carthage, reported; and asked leave to introduce a bill.

[*See Document No. 150.*]

*Ordered*, That leave be given to bring in such bills.

Mr. Wager, according to leave, brought in the said bill, entitled "An act for the construction of the Black river canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That five times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. Livingston, from the committee on the judiciary, to which was referred a resolution, instructing them to inquire into the propriety of repealing the law allowing other persons than the proper executive of the respective counties, to serve declarations, reported against making such repeal:

[*See Document No. 146.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to exempt females from imprisonment on executions issued for costs only," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the petition of the inhabitants of the village of Canastota, praying for an act of incorporation of said village, reported a bill, entitled "An act to incorporate the village of Canastota;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Baker, from the committee on claims, to which was referred the petition of Horace Hurlbut and David Porter, praying compensation for services rendered and expenses incurred in the construction of certain works connected with the Chemung canal feeder, together with the report of the Canal Commissioners thereon, reported, that the committee are of the opinion that the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the resolution of the Assembly of the thirteenth of January, instructing the said committee to inquire into the expediency of requiring all banks in this State, subject to the Safety fund law, to keep their bills at par in the city of New-York, &c. reported:

[*See Document No. 189.*]

*Ordered*, That the said report be laid upon the table.

*Ordered*, That six times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Paisley Laing, reported; and asked leave to introduce a bill.

[*See Document No. 141.*]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the relief of Paisley Laing;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the common council of the city of New-York, relative to the enlargement of Centre market, reported; and offered the following resolution:

[*See Document No. 145.*]

*Resolved*, That the application of the common council of the city of New-York, relative to Centre market, be denied.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Livingston, from the select committee to which was referred the petition of Isaac B. Bucklin and others, asking for the passage of a law to incorporate the West-Troy Caoutchouc Manufacturing Company, with a capital not exceeding two hundred thousand dollars, reported; and asked leave to introduce a bill.

[*See Document No. 140.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Livingston, according to leave, brought in the said bill, entitled "An act to incorporate the Caoutchouc manufacturing company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Clinch, from the select committee to which was referred the petition of Posteritas Pope Benton of the city of New-York, praying for the passage of a law authorising the petitioner to change his name, reported; and asked leave to introduce a bill.

[*See Document No. 147.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Clinch, according to leave, brought in the said bill, entitled "An act altering the name of Posteritas Pope Benton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Comptroller was received and read, in the words following, to wit:

The Comptroller, to whom was referred by the Assembly, the petition of John Hill, Jenny Hill and Anthony Olsequette, respectfully reports:

[*See Document No. 151.*]

*Ordered*, That the said report be referred to the committee on Indian affairs.

The annual report of Jeffry Hand was received and read.

[*See Document No. 268.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

**Mr. Suffern**, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act fixing the time for holding the annual town meeting in the town of Gates in the county of Monroe," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate; and request their concurrence in the same.

On motion of **Mr. Judd**,

*Resolved*, That the committee on the incorporation and alteration of the charters of banking and insurance companies, be instructed to inquire into the expediency of requiring all the banks in this State, subject to the Safety fund system, to receive the bills of each other at par, in payment of any debt due to them.

On motion of **Mr. Wilcoxson**,

*Resolved*, That the Canal Commissioners report to this House, their opinion as to the practicability of sinking and deepening the summit level of the Crooked lake canal, into the lake, the depth of two feet; and if practicable, to compute and report the expense of said work; and also of constructing a guard-lock at the lake, so as to regulate the flow of water in the same; and also the practicability, utility and expense of constructing two or more feeders from the outlet of said lake, into the canal below the upper mills on said stream; and also to suggest some other plan, if any can be devised by them, of supplying the hydraulic works on said outlet with a sufficient supply of water, and report the same, and the expense of carrying the same into effect.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of Joseph E. Smith & Co., and that the same be referred to the committee on grievances.

In pursuance of previous notice, **Mr. Phillips** asked for and obtained leave to bring in a bill, entitled "An act to regulate the taking and summoning of juries in justices' courts;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, **Mr. Hough** asked for and obtained leave to bring in a bill, entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned;" and after some time spent thereon, **Mr. Speaker** resumed the chair, and **Mr. Burke**, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report

to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wetmore, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

## THURSDAY, FEBRUARY 12, 1835.

The House met pursuant to adjournment.

Four several petitions of sundry inhabitants of the city of Albany, praying for the incorporation of the Young Men's Association of the city of Albany, were read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of the Rochester and Olean canal, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry Indians of the Brothertown tribe, praying an alteration of the law relative to highway labor in the town of Brothertown, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The memorial of sundry inhabitants of the counties of Oswego and Oneida, praying for the construction of an enlarged steam-boat canal from Lake Ontario to the Hudson, was read, and, with the report and estimates of cost of the same from Oswego to Utica, referred to the committee on canals and internal improvements.

*Ordered*, That six times the usual number of copies of the said report and estimates be printed for the use of the Legislature, and one hundred copies of the same for the use of the Engineer.

[See Document No. 195.]

The memorial of sundry regents, teachers of common schools, and others, relative to common schools, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the counties of Steuben, Chenango and Broome, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Otsego, praying for the construction of a M'Adam road from Albany to Owego, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of sundry inhabitants of the county of Madison, praying for the appointment of a Supreme Court commissioner, to reside in the northern part of said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to the village of Charlotte, was read, and referred to the committee on rail-roads.

The petition of the judges and members of the bar of the county of Schoharie, praying for the passage of an act changing the time of holding courts in said county, was read, and referred to the committee on the judiciary.

Five several petitions of sundry inhabitants of the counties of Cayuga, Seneca, Ontario, Wayne and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, were read, and referred to the committee on rail-roads.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Ephraim Bogardus, reported; and asked leave to introduce a bill.

[See Document No. 160.]

*Ordered,* That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the relief of Ephraim Bogardus;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Benthuisen, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the county of Chautauque, praying for the incorporation of a mutual fire insurance company in said county, reported a bill, entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Benthuisen, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the



county of Genesee, praying for the incorporation of a mutual fire insurance company in said county, reported a bill, entitled "An act for the incorporation of the Genesee mutual fire insurance company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual report of Israel Sloan, an inspector of beef and pork in the county of Onondaga, was received and read.

[See Document No. 276.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, on reference from the Assembly of the petition of Charles M'Lain, respectfully report:

[See Document No. 152.]

*Ordered*, That the said report be referred to the committee on public lands.

A communication from the Secretary of State was received and read, in the words following, to wit:

STATE OF NEW-YORK, }

SECRETARY'S OFFICE. }

*Albany, February 12, 1855.*

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

I have the honor to transmit herewith, at the request of the directors of the New-York Institution for the instruction of the deaf and dumb, their annual report for the year 1854.

I avail myself of this occasion to observe, that the annual report required of me as Superintendent of Common Schools, in relation to the instruction of the deaf and dumb, will be presented to the Legislature in a few days.

I am, very respectfully,

Your obedient servant,

JOHN A. DIX.

[See Document No. 238.]

*Ordered*, That the said report be referred to the select committee on so much of the Governor's message as relates to that subject.

*Ordered*, That four times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie," and find the same correctly engrossed.

[ASSEMBLY JOURNAL.]

**Thereupon,**

**The said engrossed bill was read the third time.**

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned," and find the same correctly engrossed.

**Ordered,** That the said bill be laid upon the table.

The resolution for amending the Constitution relative to the salt and auction duties, was read the third time.

Mr. Speaker put the question whether the House would agree to the passage of the said resolution, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 79 }  
{ NAYS 24 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Hall	Mr. Phillips
Mr. Baker	Mr. J. Haskell	Mr. Powers
Mr. Beecher	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Herttell	Mr. Quackenboss
Mr. Brooks	Mr. Hiller	Mr. Rice
Mr. Burhans	Mr. Hough	Mr. Ringgold
Mr. Burke	Mr. Jones	Mr. Roosevelt
Mr. Barnum	Mr. Judd	Mr. Seger
Mr. Carpenter	Mr. Kent	Mr. Shepard
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Springer
Mr. Coe	Mr. J. W. Lewis	Mr. Stetson
Mr. Conklin	Mr. Livingston	Mr. Stevens
Mr. Crain	Mr. Lockwood	Mr. Suffern
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Van Benthuisen
Mr. Crowell	Mr. Niles	Mr. Wager
Mr. Cuykendall	Mr. Odell	Mr. Waldron
Mr. Davis	Mr. Ogden	Mr. Warren
Mr. Dayan	Mr. Ostrom	Mr. Wetmore
Mr. Denniston	Mr. P. W. Paddock	Mr. Wheeler
Mr. Eldred	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Palmer	Mr. Williams
Mr. Fisher	Mr. Parker	Mr. Woodbury
Mr. Gray	Mr. Peck	Mr. Wylie
Mr. Griswold		



Those who voted in the negative are

Mr. Blatchly	Mr. T. Lewis	Mr. Richmond
Mr. A. Brown	Mr. M'Cluer	Mr. D. Sibley
Mr. G. Brown	Mr. M'Kie	Mr. Simmons
Mr. Burr	Mr. M'Neil	Mr. C. Strong
Mr. C. Clark	Mr. Moore	Mr. Tyrrel
Mr. Hendee	Mr. Moseley	Mr. Van Bergen
Mr. Hildreth	Mr. Patterson	Mr. Woodward
Mr. Horton	Mr. Plumb	Mr. A. Woodworth 24

Mr. Van Bergen gave notice that he would, on some future day, move a reconsideration of the question on the resolution to amend the Constitution relative to salt and auction duties.

On motion of Mr. Davis,

*Resolved*, That the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, be discharged from the further consideration of the petition of the Great Southwestern Turnpike Company, and that the petitioners have leave to withdraw the same.

On motion of Mr. Cash,

*Resolved*, That the petition of the Young Men's Association of the city of Albany, presented to the Legislature at its last session, praying for an act of incorporation, be referred to the committee of the whole when on the bill upon that subject.

Mr. Springer gave notice that he would, on some future day, ask leave to introduce a bill to legalize the acts of Andrew Follet of the town of Lansingburgh in the county of Rensselaer, as a justice of the peace, and to authorize him to take the oath of office.

*Ordered*, That Mr. Lytle have leave of absence for three days, and Mr. Hendee for eight days.

Mr. Roosevelt gave notice that he would, on Friday of next week, move a call of the House, at twelve o'clock at noon.

On motion of Mr. Burhans,

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of Franklin Rose, praying remuneration from the State for the deficiency in quantity of a certain lot of land formerly purchased from the State; and that the petitioner have leave to withdraw his petition, and the papers accompanying the same.

In pursuance of previous notice, Mr. T. Lewis asked for and obtained leave to bring in a bill, entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Joseph A. Norton;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Baker, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without

amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Niles, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend title sixth, chapter third, part first of the Revised Statutes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. King, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Peaconick navigation company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Plumb, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said county;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. M'Cluer, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holbrook Anderson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. E. Strong, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on

the bill entitled "An act authorising the clerk of the city and county of New-York to procure a book of record, and to make entries therein;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned till eleven o'clock to-morrow morning.

## FRIDAY, FEBRUARY 13, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the city of New-York, praying for the repeal of the law proscribing botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the counties of Tompkins and Cayuga, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Nelson in the county of Madison, praying for the abandonment of the construction of the Eaton reservoirs of the Chenango canal, and for other purposes, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry inhabitants of the town of Volney in the county of Oswego, against the incorporation of the village of Fulton, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the town of Collins in the county of Erie, praying for the passage of an act authorising the correction of the record of the survey of a certain road through said town, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Three several petitions of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to

construct a rail-road from Lockport to Rochester, was read, and referred to the committee on rail-roads.

Six several petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Wayne, praying for the erection of a new county from parts of the counties of Wayne and Ontario, was read, and referred to the committee on the erection and division of towns and counties.

The remonstrance of sundry inhabitants of the county of Schenectady, against the erection of a bridge across the Mohawk river by the Utica and Schenectady Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Otsego, praying for the construction of a M'Adam road from Albany to Owego, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the heirs of Samuel Merry junior, deceased, of the county of Herkimer, praying for compensation for the discovery of certain escheated lands by the deceased in his lifetime, was read, and referred to the committee on claims.

The petition of Peter J. Enders of the county of Montgomery, praying for damages alleged to have been sustained by the raising of the dam across the Schoharie creek by the Canal Commissioners, was read, and referred to the Canal Commissioners.

The remonstrance of the Mohawk Bridge Company, against the proposed termination of the Utica and Schenectady rail-road, was read, and referred to the committee on rail-roads.

Four several petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, were read, and referred to the committee on rail-roads.

The petition of J. L. Richardson and others of the county of Cayuga, in behalf of Noah Burnham, a convict in the Auburn State Prison, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the town of Pulteney in the county of Steuben, praying for the passage of an act to locate the place of holding their town meeting, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located at Attica in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Genesee and Monroe, praying for the construction of a M'Adam road from the village of Brockport to the village of Le Roy, were read, and referred to the committee on the establishment and im-

provement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the passage of an act to appoint commissioners to lay out a road from the village of Pike in the county of Allegany, to the village of Attica in the county of Genesee, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The proceedings of sundry citizens of the city of Utica, relative to the construction of a ship canal between Lake Ontario and the Hudson river, were read, and referred to the committee on canals and internal improvements.

*Ordered*, That six times the usual number of copies of the same be printed for the use of the Legislature.

[*See Document No. 158.*]

Mr. Wager, from the committee on canals and internal improvements, to which was referred the engrossed bill from the Senate, entitled "An act for the relief of William Buell," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Hough, from the committee on grievances, to which was referred the petition of Wessel Ten Broeck, for relief, reported; and recommended that the prayer of the petitioner be denied.

[*See Document No. 166.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the report of the Chancellor, in answer to a resolution of this House of the fourteenth of January, relative to a reorganization of the Chancery circuits, reported a bill, entitled "An act to reorganize the chancery circuits, and to provide for the appointment of additional vice-chancellors;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the resolution of this House of the fourteenth January, relative to authorising the assignees or trustees of insolvent debtors to prosecute in their own names in certain cases, reported a bill, entitled "An act relative to voluntary assignments;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent the sale of strong or spirituous liquors to certain persons therein mentioned," report-

ed, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of James Mitchell, asking for relief on account of the loss of his eyesight, occasioned by being blown up while engaged in blasting rocks at Lockport, as a laborer on the Erie canal, reported; and offered the following resolution:

[*See Document No. 153.*]

*Resolved*, That the prayer of the petitioner be denied, and that he have leave to withdraw his petition.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Krum, from the committee on the judiciary, to which was referred the petition of the judges and members of the bar of the county of Schoharie, praying for an alteration of the time of holding the courts in said county, reported a bill, entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of John B. Herrishoff, agent of John Brown, Francis and Sarah Herrishoff, reported; and offered the following resolution:

[*See Document No. 154.*]

*Resolved*, That the prayer of the petition of John B. Herrishoff, as agent of John Brown, Francis and Sarah Herrishoff, be denied.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Gertrude Gates, widow of John Gates deceased, for a grant of bounty lands, or of money in lieu thereof, reported; and offered the following resolution:

[*See Document No. 178.*]

*Resolved*, That the prayer of the petitioner ought not to be granted.

*Ordered*, That the said resolution be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act to continue the charter of the Lenox iron company;" and a bill entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof."



The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to continue the charter of the Lenox iron company," was referred to the committee on trade and manufactures; and the bill entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," was referred to the committee on the incorporation of cities and villages, severally to consider and report thereon.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act directing the sale to William Page, of one hundred acres of land in the New-Stockbridge or Oneida reservation."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on Indian affairs, to consider and report thereon.

The Senate returned the bill entitled "An act relative to the destruction of bears in the town of Florence, Oneida county;" and the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga."

*Ordered*, That the clerk deliver the said bills to the Governor.

The annual report of Samuel Howell, an inspector of lumber, was received and read.

[*See Document No. 274.*]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to amend title sixth, chapter third, part first of the Revised Statutes;" the engrossed bill entitled "An act for the relief of Joseph A. Norton;" the engrossed bill entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes;" the engrossed bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said town;" and the engrossed bill entitled "An act to incorporate the Peaconick navigation company," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to amend title sixth, chapter third, part first of the Revised Statutes," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act for the relief of Joseph A. Norton," was read the third time.

*Resolved,* That the bill do pass.

The said engrossed bill, entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes," was read the third time.

*Resolved,* That the bill do pass.

The said engrossed bill, entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said town," was read the third time.

*Resolved,* That the bill do pass.

The said engrossed bill, entitled "An act to incorporate the Peaconick navigation company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Grooms	Mr. Powers
Mr. Anthony	Mr. Hall	Mr. Preston
Mr. Baker	Mr. Healy	Mr. Quackenboss
Mr. Barnes	Mr. Herttel	Mr. Rice
Mr. Beecher	Mr. Hildreth	Mr. Richmond
Mr. Benjamin	Mr. Hiller	Mr. Ringgold
Mr. Blatchly	Mr. Horton	Mr. Seger
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Jones	Mr. D. Sibley
Mr. G. Brown	Mr. Judd	Mr. M. H. Sibley
Mr. Burhans	Mr. Kent	Mr. Simmons
Mr. Burke	Mr. J. W. Lewis	Mr. Springer
Mr. Barnum	Mr. T. Lewis	Mr. Stevens
Mr. Burr	Mr. Livingston	Mr. C. Strong
Mr. Carpenter	Mr. Lockwood	Mr. E. Strong
Mr. Cash	Mr. Loomis	Mr. Suffern
Mr. A. Clark	Mr. Mallory	Mr. Tillinghast
Mr. C. Clark	Mr. M'Cluer	Mr. Tyrrel
Mr. Coe	Mr. Moore	Mr. Van Benthuisen
Mr. Conklin	Mr. Moseley	Mr. Van Bergen
Mr. Crain	Mr. Niles	Mr. Wager
Mr. Crary	Mr. Odell	Mr. Waldron
Mr. Crosby	Mr. Ogden	Mr. Warren
Mr. Crowell	Mr. Ostrom	Mr. Wheeler
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Davis	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Dayan	Mr. Parker	Mr. Williams



Mr. Denniston	Mr. Patterson	Mr. Woodbury
Mr. Eldred	Mr. Peck	Mr. Woodward
Mr. Finch	Mr. Pettit	Mr. A. Woodworth
Mr. Fisher	Mr. Phillips	Mr. W. Woodworth
Mr. Gray	Mr. Plumb	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Clinch	Mr. Roosevelt	Mr. Wetmore
Mr. J. Haskell		

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make entries therein of judgments docketed in the court of common pleas of said county;" and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

The engrossed bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Van Bergen offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote of this House on the final passage of the engrossed resolution for amending the Constitution of this State, relative to the salt and auction duties, be reconsidered.

*Ordered*, That the said resolution be laid upon the table, and be the order of the day for Friday next.

*Ordered*, That Mr. Krum have leave of absence for five days, Mr. McKie for ten days, and Mr. Shepard for six days.

*Ordered*, That the engrossed bill from the Senate, entitled "An act for the relief of William Buell," be the order of the day for Tuesday next.

On motion of Mr. Wetmore,

*Resolved*, That the engrossed bill in relation to the docket book of the court of common pleas of the city of New-York, be referred to the committee of the whole house.

On motion of Mr. Williams,

*Resolved*, That the petition of George Thompson, for relief, presented to this House on the sixth January, 1831, be referred to the committee on grievances.

*Ordered*, That the committee on the judiciary be discharged from the consideration of the petition of the Saratoga Manufacturing Company, for authority to amend their charter relative to certain taxes of the town of Saratoga; and that the petitioners have leave to withdraw their petition.

On motion of Mr. Burke,

*Resolved*, That the petition for annexing a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county, presented to this House during the session of 1834, be referred to the committee on the erection and division of towns and counties.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holbrook Anderson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. E. Strong, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Young Men's association for mutual improvement in the city of Albany;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wetmore, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned until eleven o'clock to-morrow morning.

## SATURDAY, FEBRUARY 14, 1835.

The House met pursuant to adjournment.

Two several petitions of sundry inhabitants of the county of Livingston, praying for the incorporation of a mutual fire insurance company, to be located at West-Bloomfield in said county, were read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Erie and Rensselaer, praying for the repeal of the law proscribing botanic practice, were read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

The petition of sundry inhabitants of the counties of Delaware and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Lewis, praying for the construction of the Black river canal, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Oneida, praying relief from oppressive practices in certain manufacturing incorporations, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a mutual insurance company in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Cattaraugus, praying for the incorporation of a bank, to be located at Olean in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Ontario, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of Abraham Waggoner and Jeremiah Gillett, praying remuneration for damages alleged to have been sustained in consequence of the construction of the Crooked lake canal, was read, and referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

The petition of sundry inhabitants of the village of Syracuse in the county of Onondaga, praying for the incorporation of a company to construct a rail-road from said village to the stone quarries in said county, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tioga, praying for the extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Monroe and Genesee, praying for the incorporation of a company to construct a M'Adam road from Brockport to Le Roy, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Orleans, against raising money by tax to make a road across the Tonawanda swamp in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Montgomery, Hamilton and Saratoga, praying for the passage of an act authorising the survey of a canal route from the Sacandaga river to the Erie or to the Champlain canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry dealers in lumber in the city of New-York, praying for the passage of an act authorising the appointment of an additional inspector of lumber in said city, was read, and referred to a select committee, consisting of Mr. Ringgold, Mr. Clinch and Mr. P. W. Paddock.

The petition of sundry inhabitants of the county of Chenango, praying for the extension of the west branch feeder of the Chenango canal to the village of Eaton, was read, and referred to the committee on canals and internal improvements.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Oneida, praying for the incorporation of a company to construct a rail-road from Utica to Syracuse, reported a bill, entitled "An act to provide for the construction of a rail-road from Utica to Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petitions of sundry inhabitants of the counties of Delaware, Broome, Tioga, Steuben, Cattaraugus, Allegany, Chautauque, and the city and county of New-York, praying the aid of the State in the construction of the New-York and Erie rail-road, reported a bill, entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Moore, from the committee on grievances, to which was referred the petition of Lawrence Schermerhorn, reported; and recommended that the prayer of the petitioner be denied.

[*See Document No. 175.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Tyrrell, from the committee on the petitions of aliens, to which was referred the petition of James Elgar, an alien, reported; and offered the following resolution:

[*See Document No. 170.*]

*Resolved*, That the petitioner have leave to withdraw his petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to continue the charter of the Lenox iron company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of Robert L. Livingston and others, for the incorporation of a company to construct a turnpike road, with the privilege of placing rails thereon, from the basin of the Esopus Creek Company, to tide waters, reported a bill, entitled "An act to incorporate the Kingston turnpike and rail-road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the select committee to which were severally referred the petitions of inhabitants of the counties of Otsego, Columbia and Dutchess, and also a bill introduced on notice, all relating to the act entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," passed April 26th, 1831, reported; and asked leave to introduce a bill.

[*See Document No. 183.*]

*Ordered,* That leave be given to bring in such bill.

Mr. Wilkinson, according to leave, brought in the said bill, entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered,* That six times the usual number of copies of the said report, and double the usual number of copies of the said bill, be printed for the use of the Legislature.

Mr. King, from the select committee to which was referred the petition of sundry inhabitants of the town of De Kalb, for a transfer of school funds from the commissioners of common schools, to the trustees of gospel and school lands, reported; and asked leave to introduce a bill.

[*See Document No. 173.*]

*Ordered,* That leave be given to bring in such bill.

Mr. King, according to leave, brought in the said bill, entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ogden, from the committee on rail-roads, to which was referred the petition of the New-York and Harlem Rail-Coal Company, reported; and asked leave to introduce a bill.

[*See Document No. 162.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Ogden, according to leave, brought in the said bill, entitled "An act to extend the time for completing the Harlem rail-road, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of Holbrook Anderson," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Wetmore,

*Resolved*, That the engrossed bill entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make entries therein of judgments docketed in the court of common pleas of said county," be referred to a select committee to report complete.

*Ordered*, That Mr. Wetmore, Mr. Ogden and Mr. Wager, be the said committee.

In pursuance of previous notice, Mr. Williams asked for and obtained leave to bring in a bill, entitled "An act reducing the rate of interest to six per cent;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Springer asked for and obtained leave to bring in a bill, entitled "An act confirming the official acts of Andrew Follett, a justice of the peace in and for the county of Rensselaer;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Palmer gave notice that, on some future day, he would ask leave to bring in a bill to provide compensation for the services of the inspectors of the Auburn State Prison.

Mr. Cash offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That this House will, on and after Monday next, until the end of the session, meet at ten o'clock in the forenoon.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of the heirs of Samuel Merry junior, deceased, praying compensation for the discovery of escheated lands, and that the same be referred to the committee on grievances.



**Ordered,** That the committee on colleges, academies and common schools, be discharged from the consideration of the petition for the Delaware Religious and Literary Institute, and that the same be referred to the committee on the incorporation of charitable and religious societies.

The House then resolved itself into a committee of the whole, on the report of the committee on the judiciary, relative to changing the time of the annual meeting of the Legislature; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Springer, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock on Monday morning next.

## MONDAY, FEBRUARY 16, 1835.

The House met pursuant to adjournment.

Two several petitions of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from the city of Buffalo to Batavia in the county of Genesee, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for an increase of the capital of the Lockport Bank, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from Lockport to Batavia, was read, and referred to the committee on rail-roads.

The petition of the president and secretary of the Central Asylum for the instruction of the deaf and dumb, praying for the passage of a law to increase the number of State pupils, and for other purposes, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of five thousand inhabitants of the counties of Onondaga, Rensselaer, Schoharie, Madison, Washington, Erie, Chautauque, Wayne and Dutchess, praying for a repeal of the law proscribing botanic practice, was read, and referred to the select committee on that subject, of which Mr. J. Haskell is chairman.

Four several petitions of sundry inhabitants of the counties of Delaware, Steuben and Tioga, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The proceedings of a meeting of sundry inhabitants of the village of Cazenovia, relative to the passage of the bill to amend the charter of said village, was read, and committed to the committee of the whole when on the bill to which it relates.

Two several petitions of sundry inhabitants of the city and county of New-York, praying for the establishment of a steam-boat ferry from Pike slip in said city, to a point near the United States Naval Hospital at Brooklyn, were read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the counties of Kings and Queens, praying for the establishment of additional ferries between New-York and Long Island, were read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the town of Cicero in the county of Onondaga, against the annexing of a part of the town of Sullivan in the county of Madison, to said town of Cicero, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Monroe, praying for the construction of the Rochester and Olean canal, was read, and referred to the committee on canals and internal improvements.

The petition of Richard Foote of the county of Franklin, praying for compensation for services as keeper of the State Arsenal at Malone in said county, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Ontario, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Saratoga, Montgomery and Hamilton, praying for the passage of an act authorising the survey of a canal route from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a M'Adam road from Brockport to Le Roy, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the grand jury of the county of Franklin, praying for the passage of an act to prohibit the sale of ardent spirits on Sunday, was read, and referred to a select committee, consisting of Mr. A. Hascall, Mr. Hicks and Mr. W. S. Paddock.

The petition of the trustees of the Genesee and Oneida Conference, praying for the passage of an act authorising them to change their name to the Oneida Conference Seminary, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Steuben,



praying for the construction of the Rochester and Olean canal, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Otsego, praying for the repeal of the act abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of Adna H. Southwick and others of the county of Ulster, praying for the incorporation of a company for manufacturing purposes, was read, and referred to the committee on trade and manufactures.

The remonstrance of sundry inhabitants of the county of Chautauque, against the passage of an act confirming the official acts of Orrin Ford as commissioner of deeds for said county, was read, and referred to the committee on the judiciary.

The memorial of sundry inhabitants of the county of Otsego, in relation to certain practices of manufacturing companies, was read, and referred to the committee on trade and manufactures.

Mr. Adams, from the committee on grievances, to which was referred the petition of Anson Thompson, asking to be relieved from an injury sustained by reason of his horse having fallen through the bridge of a feeder or side-cut of the Champlain canal, reported; and asked leave to introduce a bill.

[ See Document No. 161.]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave brought in the said bill, entitled "An act for the relief of Anson Thompson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Tioga, praying for a repeal of the "Act to incorporate the president, directors and company of the Cayuga and Susquehannah turnpike," passed June 10th, 1812, and for other purposes, reported a bill, entitled "An act relative to the Cayuga and Susquehannah turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. A. Brown, from the committee on the manufacture of salt, to which was referred the petitions of sundry manufacturers of salt, and others, in the county of Onondaga, asking the repeal of the law that requires the manufacturers to pay to the State two mills per bushel for all salt they manufacture from water from the State pumps, reported; and asked leave to introduce a bill.

**[See Document No. 164.]**

**Ordered,** That leave be given to bring in such bill.

Mr. A. Brown, according to leave, brought in the said bill, entitled "An act to repeal so much of the Revised Statutes as imposes a tax of two mills per bushel on every manufacturer of salt in the town of Salina, who shall receive his supply of salt water from the reservoirs supplied by the pumps belonging to this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hough, from the committee on grievances, to which was referred the petition of John Carr Scadden, for relief, reported; and recommended that the prayer of the petitioner be denied.

**[See Document No. 169.]**

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. J. Haskell, from the majority of the select committee to which were referred the petitions of about thirty thousand inhabitants of this State, praying for the repeal of the laws which prescribe botanic practice, reported; and asked leave to introduce a bill.

**[See Document No. 190.]**

**Ordered,** That leave be given to bring in such bill.

Mr. J. Haskell, according to leave, brought in the said bill, entitled "An act to repeal the act therein mentioned, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the minority of the select committee to which were referred the petitions of sundry inhabitants of many of the counties of this State, praying for a repeal of the law passed at the last session of the Legislature, imposing a fine upon the botanic practice of medicine, reported:

**[See Document No. 190.]**

**Ordered,** That the said report be committed to the committee of the whole, when on the bill entitled "An act to repeal the act therein mentioned, and for other purposes."

**Ordered,** That the said reports be printed as a single document, and that four times the usual number of copies of the same be printed for the use of the Legislature.

Mr. Ogden, from the select committee to which was recommitted the bill entitled "An act to authorise the clerk of the city and county of New-York to procure a book of record, and to make en-

tries therein of judgments docketed in the court of common pleas of said county," reported, that the committee had gone through the said bill, made amendments thereto, altered the title to "An act to authorise the clerk of the city and county of New-York to transcribe the docket of certain judgments mentioned therein," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be re-engrossed.

Mr. Clinch, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, relative to widening a public avenue, reported; and asked leave to introduce a bill.

[*See Document No. 163.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Clinch, according to leave, brought in the said bill, entitled "A act to widen avenue C. from Third-street and Fifteenth-street in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to appoint commissioners to lay out a road from the village of Skaneateles to the village of Camillus in the county of Onondaga."

Also the bill entitled "An act relative to the destruction of bears in the town of Florence, Oneida county."

Also the bill entitled "An act authorising the supervisors of the county of Genesee to convey certain lands in the village of Batavia."

W. L. MARCY.

*Albany, February 14, 1835.*

The annual report of the directors of the Central Asylum for the instruction of the deaf and dumb, was received and read.

[*See Document No. 289.*]

*Ordered*, That the said report be referred to the select committee on so much of the Governor's message as relates to that subject.

The annual report of the Dutchess County Bank was received and read.

[*See Document No. 267.*]

**Ordered,** That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The annual report of James B. Grant, an inspector of sole leather in the county of Yates, was received and read.

[See Document No. 277.]

**Ordered,** That the said report be referred to the committee on trade and manufactures.

The annual report of the Chemical Bank and of the Chemical Factory, was received and read.

[See Document No. 304.]

**Ordered,** That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The engrossed bill entitled "An act to incorporate the Young Men's association of the city of Albany," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Anthony	Mr. Gray	Mr. Peck
Mr. Baker	Mr. Groom	Mr. Pettit
Mr. Barnes	Mr. A. Hascall	Mr. Phillips
Mr. Beecher	Mr. J. Haskell	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Blatchly	Mr. Herttell	Mr. Quackenboss
Mr. Brooks	Mr. Hiller	Mr. Rice
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burhans	Mr. Hough	Mr. Roosevelt
Mr. Burke	Mr. Hutchinson	Mr. Seger
Mr. Barnum	Mr. Jones	Mr. Shafer
Mr. Burr	Mr. Judd	Mr. D. Sibley
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Carr	Mr. King	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lytle	Mr. C. Strong
Mr. J. Clark	Mr. Mallory	Mr. E. Strong
Mr. Coe	Mr. M'Cluer	Mr. Tillinghast

Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crain	Mr. Moore	Mr. Van Benthuisen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Warren
Mr. Crowell	Mr. Odell	Mr. Wheeler
Mr. Cuykendall	Mr. Ogden	Mr. Williams
Mr. Davis	Mr. Ostrom	Mr. Woodward
Mr. Dayan	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Denniston	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Eldred	Mr. Palmer	Mr. Wyhe
Mr. Finch	Mr. Parker	

95

Those who voted in the negative are

Mr. Clinch

1

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

*Ordered*, That Mr. Wetmore and Mr. Wilcoxson have leave of absence for ten days each, and Mr. Loomis for four days.

And then the House adjourned until eleven o'clock to-morrow morning.

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## TUESDAY, FEBRUARY 17, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the village of Lewiston in the county of Niagara, praying for the incorporation of a bank, to be located in said village, with a capital of two hundred and fifty thousand dollars, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the city of New-York, praying for the construction of a canal from Rochester to Olean, was read, and referred to the committee on canals and internal improvements.

Four several petitions of sundry inhabitants of the county of Queens, praying for the establishment of additional ferries between New-York and Brooklyn, were read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the counties of Steuben, Delaware and Broome, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of the mayor, aldermen and commonalty of the city of New-York, relative to the passage of a law to vest certain lands in the mayor, aldermen and commonalty of the said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

The petition of the supervisors of the county of Warren, praying for an amendment of the law appointing superintendents of the poor-house in said county, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Livingston, praying for the construction of the Rochester and Olean canal, with a branch to Dansville, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Montgomery, praying for the incorporation of a mutual fire insurance company in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two several petitions of sundry inhabitants of the counties of Ontario and Livingston, praying for the incorporation of a mutual fire insurance company, were read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the repeal of the law which limits the duration of the ordinances of the common council of said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Two several remonstrances of sundry inhabitants of the town of Collins in the county of Erie, against the opening of a certain road through said town, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Chautauque, praying for the passage of an act to dispense with the summoning a grand jury at the October and February terms of their county court, was read, and referred to the committee on the judiciary.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act compelling creditors to pay for the support of poor debtors confined in prison in said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

The remonstrance of sundry inhabitants of the county of Steuben, against the passage of an act authorising the construction of a slack water navigation in the Canisteo river, was read, and referred to the committee on canals and internal improvements.

Three several petitions of sundry inhabitants of the county of Niagara, praying for the repeal of the law which prohibits botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a rail-road from Troy to Ballston-Spa, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the city of Brooklyn, praying for the survey by the State of a canal route from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for an alteration in the existing excise law, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Kings, praying for the incorporation of a company to construct a turnpike road from Brooklyn to Coney Island, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Warren, praying for the passage of an act authorising the raising of money by tax in said county, to repair their clerk's office, was read, and referred to a select committee, consisting of Mr. Hicks, Mr. Stetson and Mr. King.

The petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a rail-road from the Schenectady and Saratoga rail-road to the Rensselaer and Saratoga rail-road, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the county of Orleans, against raising money by tax to make a road across the Tonawanda swamp in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Yates, praying for the passage of an act abolishing the office of inspector of sole leather in said county, was read, and referred to the committee on trade and manufactures.

Two several petitions of sundry inhabitants of the counties of Genesee and Monroe, praying for the incorporation of a company to construct a M'Adam road from Le Roy to Brockport, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Two several petitions of sundry inhabitants of the town of Eaton in the county of Madison, praying for the passage of an act to prevent the construction of the reservoirs in said town as feeders to the Chenango canal, were read, and referred to the committee on canals and internal improvements.



The petition of sundry inhabitants of Greenbush in the county of Rensselaer, for a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Madison, praying for the extension of the west branch feeder of the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Saratoga, praying for the passage of an act authorising the construction of a M'Adam road from Waterford to West-Troy, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of William H. Spencer of the county of Livingston, praying for the passage of an act authorising him to build a dam and boat-lock in the Genesee river in said county, was read, and referred to a select committee, consisting of Mr. Patterson, Mr. Hutchinson and Mr. Burr.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the city of Albany, praying for an alteration of the law relative to suits in replevin, reported a bill, entitled "An act to amend the law relative to the action of replevin;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Quackenboss, from the committee on trade and manufactures, to which were referred sundry memorials of inhabitants of the counties of Oneida and Otsego, praying relief against certain oppressive practices on the part of manufacturing incorporations, reported; and offered the following resolution:

[See Document No. 205.]

*Resolved*, That this report, and the several petitions accompanying it, be referred to the committee on the judiciary, to report their views upon the subject, and such a bill as, in their opinion, will remedy the evils complained of.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That three times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. C. Strong, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the Hamilton and Skaneateles Turnpike Company, for a change of the route of their road, reported a bill, entitled "An act further to amend the act to incorporate the Hamilton and Skaneateles turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.



Mr. Adams, from the committee on grievances, to which was referred the petition of Joseph E. Smith & Co., praying for the passage of an act authorising the Canal Board to pay them a fair price for work done on the canal, reported; and recommended that the prayer of the petitioners be denied.

[*See Document No. 177.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Roosevelt, from the committee on rail-roads, reported a bill, entitled "An act to define the powers and regulate the proceedings of rail-road companies;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Thereupon,

*Ordered*, That the said bill be the order of the day for Friday next.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the trustees of the Seminary of the Genesee and Oneida Conferences, praying that the name of the said seminary may be changed to Oneida Conference Seminary, reported a bill, entitled "An act to change the name of the seminary of the Genesee and Oneida conferences, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the common council of the city of New-York, respecting the school attached to the alms-house, reported; and asked leave to introduce a bill.

[*See Document No. 174.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act relative to the school connected with the alms-house of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise the clerk of the city and county of New-York to transcribe the docket of certain judgments mentioned therein," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Judd gave notice that he would, on some future day, ask leave to introduce a bill to amend the Revised Statutes, in relation to the laying out of public highways.

*Ordered,* That the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, be discharged from the consideration of the petition of sundry Brothertown Indians, praying an alteration of the law relative to highway labor, and that the same be referred to the committee on Indian affairs.

In pursuance of previous notice, Mr. Palmer asked for and obtained leave to bring in a bill, entitled "An act to provide for the compensation of the inspectors of the Auburn State prison;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on State prisons, to consider and report thereon.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of William Buell;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Niles, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

## WEDNESDAY, FEBRUARY 18, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the county of Steuben, against the incorporation of the Canisteo Navigation Company, was read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the county of Livingston, praying for the construction of the Rochester and Olean canal, with a branch to Dansville, were read, and referred to the committee on canals and internal improvements.

Three several petitions of sundry inhabitants of the counties of Orange, Chenango and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of sundry inhabitants of the county of Madison, praying that the construction of the reservoirs in Eaton and Madison in said county may be abandoned, and that the Chenango canal may be supplied with water from the Oriskany creek, were read, and referred to the committee on canals and internal improvements.

The remonstrance of Stephen W. and Harvey Baldwin, against the passage of an act authorising a reduction of tolls on the canal at Baldwinsville, was read, and referred to the select committee on that subject, of which Mr. Petit is chairman.

Four several petitions of sundry inhabitants of the counties of Tioga, Madison and Rensselaer, praying for a repeal of the law prohibiting botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Allegany, praying for the passage of an act authorising Richard L. Townsend and Peleg Palmer to erect and maintain a dam across the Genesee river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the city of New-York, praying for the division of the flour inspector's office of said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Lansingburgh in the county of Rensselaer, praying for the passage of an act to exempt them from village taxes, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Madison, praying for the incorporation of an academy, to be located in the village of Chittenango, was read, and referred to the committee on colleges, academies and common schools.

The remonstrance of sundry inhabitants of the town of Farmington in the county of Ontario, against the petition of M'South and Osgood, praying for the passage of an act authorising the levying of a tax for the payment of certain costs, was read, and referred to the committee on the judiciary.

Six several petitions of sundry inhabitants of the counties of Cayuga, Seneca, Ontario and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Monroe, Genesee, Niagara and Erie, praying for the incorporation of a company to construct a rail-road from Batavia to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Albany, praying for the incorporation of a company to construct a M'Adam road from Watervliet to Waterford, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Westchester, praying for the passage of an act authorising Curtis Peck to build a wharf in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Tioga, praying for the extension of the Chenango canal from Binghamton to Owego, was read, and referred to the committee on canals and internal improvements.

The petition of the president, directors and company of the Bristol and Rensselaerville Turnpike Road Company, praying for an amendment of their charter, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of Geneva College, praying for an amendment of title seventh of chapter fourteenth of the first part of the Revised Statutes, was read, and referred to the committee on colleges, academies and common schools.

The remonstrance of sundry inhabitants of the county of Orleans, against the passage of an act authorising the raising of money by tax, to defray the expense of constructing a road across Tonawanda swamp in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of John Shiland of the county of Washington, praying remuneration for a certain lot of land alleged to have been improperly sold for taxes, was read, and referred to the committee on claims.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of Holmes Hutchinson, praying for the passage of a law authorising an increased compensation for surveying the canals of this State, and making maps of the same, and also the report of the Canal Board upon the same subject, reported; and asked leave to introduce a bill.

[*See Document No. 197.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Wager, according to leave, brought in the said bill, entitled "An act for the relief of Holmes Hutchinson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the supervisors of the county of Warren, praying for an alteration of the law relative to the appointment of superintendents of the poor, reported a bill, entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the court and bar of the county of Chautauque, for a law dispensing with the summoning of a grand jury at the October and February terms of the court of common pleas of said county, reported a bill, entitled "An act relative to the court of general sessions of the county of Chautauque;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act confirming the official acts of

Andrew Follet, a justice of the peace in and for the county of Rensselaer," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Jefferson and Oneida, praying for an amendment of the charter of the Oneida and Jefferson Turnpike Company, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the Holland Purchase Freewill Baptist Yearly Meeting, praying for an act to establish a home missionary society, to be called the New-York Freewill Baptist Home Missionary Society, reported a bill, entitled "An act to incorporate the New-York Freewill Baptist missionary society;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Richland in the county of Oswego, praying for authority to erect dams for hydraulic purposes across Salmon river, and for other purposes, reported a bill, entitled "An act in relation to Salmon river in the county of Oswego;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Otsego and Delaware, praying for the incorporation of a company to construct a turnpike road from Oneonta in the county of Otsego, to Franklin in the county of Delaware, reported a bill, entitled "An act to incorporate the Oneonta and Franklin turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Phillips, from the select committee to which was referred the petition of Marcus B. Osborn of Sag-Harbor in the county of Suffolk, for the passage of a law authorising him to construct a wharf and dock adjoining his land, reported; and asked leave to introduce a bill.

[See Document No. 180.]

**Ordered,** That leave be given to bring in such bill.

Mr. Phillips, according to leave, brought in the said bill, entitled "An act authorising Marcus B. Osborn to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Clinch, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to provide for the appointment of an additional special justice for preserving the peace in said city, reported; and asked leave to introduce a bill.

[See Document No. 176.]

**Ordered,** That leave be given to bring in such bill.

Mr. Clinch, according to leave, brought in the said bill, entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hutchinson, from the select committee to which was referred the petition of William H. Spencer of Geneseo in the county of Livingston, asking that a law may be passed, authorising him and his associates to build a dam across the Genesee river between the towns of Geneseo and York, reported; and asked leave to introduce a bill.

[See Document No. 194.]

**Ordered,** That leave be given to bring in such bill.

Mr. Hutchinson, according to leave, brought in the said bill, entitled "An act authorising William H. Spencer to build a dam across the Genesee river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. A. Hascall, from the select committee to which was referred the petition of the grand jurors of the county of Franklin, praying for the passage of an act to prohibit the sale of spirituous liquors in said county on Sunday, reported; and asked leave to introduce a bill.

[See Document No. 191.]

**Ordered,** That leave be given to bring in such bill.

Mr. A. Hascall, according to leave, brought in the said bill, entitled "An act to prohibit the sale of ardent spirits on Sunday in the county of Franklin;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Chancellor was received and read, in the words following, to wit:



*Albany, February 18, 1835.*

**TO THE SPEAKER OF THE ASSEMBLY.**

I have the honor to enclose for the use of the Legislature, a copy of the report of the New-York Life Insurance and Trust Company for the last year, made in pursuance of the standing order of this Court of the nineteenth of November, 1834.

I am, with respect,

Yours, &c.

**R. HYDE WALWORTH,**  
*Chancellor.*

[*See Document No. 284.*]

**Ordered,** That the said report be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

On motion of Mr. Palmer,

**Resolved,** That the memorial of sundry inhabitants of the county of Cayuga, presented to the last Legislature, praying for the passage of an act to provide a compensation to the inspectors of the Auburn State prison, be referred to the committee on State prisons.

On motion of Mr. Springer,

**Resolved,** That the bill to confirm the acts of Andrew Follet as a justice of the peace, be referred to a select committee composed of the members attending this House from the county of Rensselaer, to report complete.

The House then again resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act for the relief of William Buell;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Niles, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 80 }  
{ NAYS 23 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams.	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Peck
Mr. Baker	Mr. Griswold	Mr. Pettit
Mr. Barnes	Mr. Groom	Mr. Phillips
Mr. Beecher	Mr. Harvey	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston

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Mr. Bennet	Mr. Herttell	Mr. Rice
Mr. Brooks	Mr. Hicks	Mr. Ringgold
Mr. Burhans	Mr. Hiller	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Carpenter	Mr. Ingersoll	Mr. D. Sibley
Mr. Cash	Mr. Jones	Mr. Simmons
Mr. A. Clark	Mr. Judd	Mr. Speaker
Mr. J. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. King	Mr. Stetson
Mr. Coe	Mr. J. W. Lewis	Mr. Stevens
Mr. Conklin	Mr. T. Lewis	Mr. Thorn
Mr. Crain	Mr. Livingston	Mr. Tillinghast
Mr. Crary	Mr. Lockwood	Mr. Van Bergen
Mr. Crosby	Mr. Mallory	Mr. Wager
Mr. Crowell	Mr. M'Cher	Mr. Warren
Mr. Cuykendall	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. Ogden	Mr. Williams
Mr. Denniston	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Eldred	Mr. W. S. Paddock	Mr. Wylie
Mr. Finch	Mr. Palmer	

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Those who voted in the negative are

Mr. Blatchly	Mr. Hildreth	Mr. Plumb
Mr. A. Brown	Mr. Hillyer	Mr. Roosevelt
Mr. G. Brown	Mr. Horton	Mr. Suffern
Mr. Burke	Mr. Hutchinson	Mr. Tyrrel
Mr. Burr	Mr. Moore	Mr. Waldron
Mr. C. Clark	Mr. Moseley	Mr. Woodward
Mr. A. Hascall	Mr. Ostrom	Mr. W. Woodworth
Mr. J. Haskell	Mr. Patterson	

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Thereupon,

*Ordered,* That the said bill be referred to the committee appointed in pursuance of the forty-seventh rule of this House.

And then the House adjourned until eleven o'clock to-morrow morning.



## THURSDAY, FEBRUARY 19, 1885.

**The House met pursuant to adjournment.**

Two several petitions of sundry inhabitants of the counties of Delaware and Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Mayfield in the county of Montgomery, praying for the passage of an act authorising a survey of a canal from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construe a rail-road from Rochester to Lockport, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Catlin in the county of Tioga, praying for a division of said town, with two several remonstrances against the same, were read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Onondaga, praying for the division of the town of Spafford in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of John Wilkinson of the county of Onondaga, praying for the passage of an act authorising the Treasurer to pay him the amount of a certain check drawn by the Treasurer and Comptroller on the Commercial Bank, which he alleges has been lost, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Tioga, praying for aid from the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Lebanon in the county of Madison, praying that the reservoirs constructing in said town for the Chenango canal may be abandoned, and the waters of the Oriskany creek taken to supply said canal, was read, and referred to the committee on canals and internal improvements.

The memorial of the secretary of the Mohawk and Hudson Rail-Road Company, in relation to certain misstatements in the memorial of the Mohawk Bridge Company, was read, and referred to the committee on rail-roads.

Mr. Burke, from the committee on colleges, academies and common schools, to which was referred the petition of the trustees of Geneva College, reported; and asked leave to introduce a bill.

[See Document No. 182.]

*Ordered*, That leave be given to bring in such bill.

Mr. Burke, according to leave, brought in the said bill, entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Thereupon,

*Ordered*, That the said bill be the order for Saturday next.

Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, to which was referred the engrossed bill from the Senate, entitled "An act for the relief of William Buch," reported, that in the opinion of the committee, the said bill does not require the votes of two-thirds of all the members elected to the Legislature to pass the same into a law.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

{ AYES 91 }  
{ NAYS 12 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Peck
Mr. Anthony	Mr. Groom	Mr. Pettit
Mr. Baker	Mr. Hall	Mr. Phillips
Mr. Barnes	Mr. Harvey	Mr. Powers
Mr. Beecher	Mr. A. Hascall	Mr. Preston
Mr. Benjamin	Mr. J. Haskell	Mr. Quackenboss
Mr. Bennet	Mr. Healy	Mr. Rice
Mr. Blatchly	Mr. Hertell	Mr. Ringgold
Mr. Brooks	Mr. Hicks	Mr. Roosevelt
Mr. A. Brown	Mr. Hildreth	Mr. Seger
Mr. G. Brown	Mr. Hiller	Mr. Shafer
Mr. Burhans	Mr. Hillyer	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Carpenter	Mr. Jones	Mr. Simmons
Mr. A. Clark	Mr. Judd	Mr. Speaker
Mr. J. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. J. W. Lewis	Mr. Stetson
Mr. Coe	Mr. T. Lewis	Mr. Stevens
Mr. Conklin	Mr. Livingston	Mr. C. Strong

Mr. Crain	Mr. Lytle	Mr. Suffern
Mr. Crary	Mr. Mallory	Mr. Thorn
Mr. Crosby	Mr. M'Kie	Mr. Tillinghast
Mr. Crowell	Mr. Murphy	Mr. Van Benthuisen
Mr. Cuykendall	Mr. Odell	Mr. Van Bergen
Mr. Davis	Mr. Ogden	Mr. Wager
Mr. Dayan	Mr. Ostrom	Mr. Warren
Mr. Denniston	Mr. P. W. Paddock	Mr. Wheeler
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. A. Woodworth
Mr. Fisher	Mr. Parker	Mr. Wylie
Mr. Gray		

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Those who voted in the negative are

Mr. Burke	Mr. M'Cluer	Mr. Plumb
Mr. Burr	Mr. Moore	Mr. E. Strong
Mr. C. Clark	Mr. Moseley	Mr. Waldron
Mr. Horton	Mr. Patterson	Mr. Woodward

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Thereupon,

The said bill was ordered to a third reading.

Mr. Dayan, from the committee on ways and means, to which was referred the petition of sundry inhabitants of the town of New-Hartford, Oneida county, praying for an alteration of the law relative to taxing manufacturing incorporations, reported; and asked leave to introduce a bill.

[See Document No. 212.]

*Ordered,* That leave be given to bring in such bill.

Mr. Dayan, according to leave, brought in the said bill, entitled "An act concerning the assessment of taxes on incorporated companies;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the sheriff and other persons of the county of Cayuga, relative to the situation of Noah Burnham, a prisoner confined in the jail of that county upon a charge of murder, reported; and asked leave to introduce a bill.

[See Document No. 209.]

*Ordered,* That leave be given to bring in such bill.

Mr. Livingston, according to leave, brought in the said bill, entitled "An act concerning Noah Burnham;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabit-

ants of the village of Fulton in the county of Oswego, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Fulton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act authorising a percentage to be added to unpaid taxes, reported; and asked leave to introduce a bill.

[*See Document No. 208.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of John W. Wisner, praying for compensation for extra labor done in the construction of a lock on the Chemung canal, reported; and offered the following resolution:

[*See Document No. 192.*]

*Resolved*, That the petition of John W. Wisner, for remuneration for extra labor on the lock at the junction of the Chemung canal with the river, be denied.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of John N. Hindley and others, praying for the incorporation of the Genesee Seminary, reported a bill, entitled "An act to incorporate the Genesee seminary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, reported a bill, entitled "An act to provide for the construction of a rail-road from Attica to Buffalo;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of sundry inhabitants of the city of Buffalo, for the incorporation of the Sailors' and Boatmen's Friend Society in the city of Buffalo,

reported a bill, entitled "An act to incorporate the Sailors' and Boatmen's friend society;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the select committee to which was referred the bill entitled "An act confirming the official acts of Andrew Follet, a justice of the peace in and for the county of Rensselaer," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The annual report of James Radcliff, inspector-general of staves and heading in the city and county of Albany, was received and read.

[See Document No. 275.]

*Ordered,* That the said report be referred to the committee on trade and manufactures.

The engrossed bill from the Senate, entitled "An act for the relief of William Buell," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 87 }  
{ NAYS 22 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Beecher	Mr. Healy	Mr. Powers
Mr. Benjamin	Mr. Hertell	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Quackenboss
Mr. Brooks	Mr. Hiller	Mr. Rice
Mr. Burhans	Mr. Hough	Mr. Ringgold
Mr. Barnum	Mr. Ingersoll	Mr. Seger
Mr. Carpenter	Mr. Jones	Mr. Shafer
Mr. Cash	Mr. Judd	Mr. D. Sibley
Mr. A. Clark	Mr. Kent	Mr. Simmons
Mr. J. Clark	Mr. King	Mr. Speaker
Mr. Clinch	Mr. J. W. Lewis	Mr. Springer
Mr. Coe	Mr. T. Lewis	Mr. Stetson
Mr. Conklin	Mr. Livingston	Mr. Stevens

Mr. Crain	Mr. Lockwood	Mr. C. Strong
Mr. Crary	Mr. Loomis	Mr. Suffern
Mr. Crosby	Mr. Lytle	Mr. Thorn
Mr. Crowell	Mr. Mallory	Mr. Tillinghast
Mr. Cuykendall	Mr. M'Cluer	Mr. Van Benthuisen
Mr. Davis	Mr. M'Kie	Mr. Van Bergen
Mr. Dayan	Mr. Murphy	Mr. Wager
Mr. Denniston	Mr. Odell	Mr. Warren
Mr. Eldred	Mr. Ogden	Mr. Wheeler
Mr. Finch	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Fisher	Mr. W. S. Paddock	Mr. Williams
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Blatchly	Mr. Hildreth	Mr. Patterson
Mr. A. Brown	Mr. Hillyer	Mr. Plumb
Mr. G. Brown	Mr. Horton	Mr. Roosevelt
Mr. Burke	Mr. Moore	Mr. E. Strong
Mr. Burr	Mr. Moseley	Mr. Tyrrel
Mr. C. Clark	Mr. Niles	Mr. Waldron
Mr. A. Hascall	Mr. Ostrom	Mr. Woodward
Mr. J. Haskell		

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**Ordered,** That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

In pursuance of previous notice, Mr. Judd asked for and obtained leave to bring in a bill, entitled "An act to amend the Revised Statutes in relation to laying out public highways;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Ordered,** That the usual number of copies of the said bill be printed for the use of the Legislature.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Moore, from the said committee, reported progress, and asked for and obtained leave to sit again.

**Ordered,** That the usual number of copies of the substitute offered by Mr. Mallory while in committee of the whole on the said bill, be printed for the use of the Legislature.

And then the House adjourned till eleven o'clock to-morrow morning.

## FRIDAY, FEBRUARY 20, 1835.

The House met pursuant to adjournment.

Mr. Brasher, the member of Assembly duly elected in the county of Kings, appeared in the Assembly chamber, and took and subscribed the oath required by the Constitution of this State.

*Ordered*, That Mr. Brasher do take his seat.

The petition of the trustees of the village of Newburgh, and of sundry inhabitants of the counties of Delaware, Steuben, Cattaraugus, Rockland, Chenango, Broome, and the city and county of New-York, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of sundry inhabitants of the counties of Onondaga and Madison, praying for a repeal of the law prohibiting botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of T. R. Beck and James M'Naughton, against the passage of the bill for the relief of Geneva College, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the counties of Queens and Suffolk, praying for the establishment of additional ferries between the cities of New-York and Brooklyn, was read, and committed to the committee of the whole when on the bill upon that subject.

A communication from Cornelius W. Lawrence, mayor of the city of New-York, relative to a report and resolutions unanimously adopted by the two boards of the common council of the said city, on the subject of a rail-road from New-York to Lake Erie, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Cayuga and Tompkins, praying for the incorporation of a company to construct a rail-road from Auburn to Ithaca, was read, and referred to the committee on rail-roads.

The petition of W. H. Fairservice of the county of Oneida, praying remuneration for services alleged to have been performed for the State, was read, and referred to the committee on claims.

The petition of sundry inhabitants of the city of Rochester, praying for the incorporation of the Rochester Water-works Company, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. Hildreth and Mr. Fisher.

Three several petitions of sundry inhabitants of the county of Madison, praying that the reservoirs constructing in said county for the Chenango canal may be abandoned, and the waters of the Oriskany creek taken to supply said canal, were read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Ontario,



praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of St. Lawrence, praying for an amendment of the poor laws of said county, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The petition of sundry inhabitants of the county of Clinton, praying for the repeal of the law which allows the service of declarations in civil causes by persons other than sheriffs, was read, and ordered to be laid upon the table.

The petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the appointment of commissioners to lay out a road from Pike in the county of Allegany, to Attica in the county of Genesee, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Allegany, praying for the passage of an act authorising the supervisors of said county to raise two thousand five hundred dollars, to build a bridge across the Genesee river at Portage in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the counties of Kings and Queens, against the petition of John Waters of the county of Kings, praying for the incorporation of a turnpike road and bridge company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Albany and Rensselaer, praying for the passage of an act authorising the construction of a bridge across the Hudson river opposite the city of Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Adonijah Carter of the county of Onondaga, praying for relief in consequence of injuries alleged to have been sustained while performing military service in obedience to the laws of this State, was read, and referred to the committee on grievances.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Mary Seymour of the town of Salem in the county of Washington, praying for a divorce, reported; and recommended that the petitioner have leave to withdraw her petition.

[*See Document No. 215.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.



Mr. Stevens, from the committee on State prisons, to which was referred the petition of the inspectors of the State prison at Auburn, praying for an increase of their salaries, reported a bill, entitled "An act to provide for the compensation of the inspectors of the Auburn State prison;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burhans, from the committee on claims, to which was referred the petition of Lucas Elmendorf, praying for compensation for services performed under a law of this State, reported; and offered the following resolution:

[See Document No. 213.]

*Resolved*, That the committee on claims be discharged from the further consideration of the petition of Lucas Elmendorf, for compensation for services performed under a law of this State; and that the same be referred to a select committee, to consider and report thereon.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Thereupon,

*Ordered*, That Mr. Davis, Mr. Stetson and Mr. Tomlinson, be the said committee.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of John Wilkinson, for a law authorising the Treasurer to pay him the amount of a check drawn by the Treasurer and Comptroller on the Commercial Bank, which check has been lost, reported a bill, entitled "An act for the relief of John Wilkinson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Spafford, Skaneateles and Marcellus in the county of Onondaga, praying that part of the said town of Spafford may be annexed to the towns of Skaneateles and Marcellus, reported a bill, entitled a bill, entitled "An act to annex a part of the town of Spafford to the towns of Marcellus and Skaneateles;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the county of Cattaraugus, praying that part of the town of Otto in said county, may be annexed to the town of Ashford, reported a bill, entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual reports of H. A. Simons and Daniel Gordon, inspectors of sole leather in the city of New-York, were received and read.

[See Document No. 273.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

The annual report of Oliver H. Taylor, an inspector of sole leather in the city of New-York, was received and read.

[See Document No. 319.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act confirming the official acts of Andrew Follett, a justice of the peace in and for the county of Rensselaer," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The Senate sent for concurrence, a bill entitled "An act to prohibit the circulation of small bills."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies, to consider and report thereon.

*Ordered*, That Mr. E. Strong have leave of absence for eight days, Mr. Parker for two weeks, and Mr. Jones for one week.

On motion of Mr. Ogden,

*Resolved*, That the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties," be the order of the day for Tuesday next.

On motion of Mr. A. Hascall,

*Resolved*, That Richard G. Foote, whose petition has been referred to the committee on claims, have leave to withdraw his petition.

On motion of Mr. M. H. Sibley,

*Resolved*, That the petition of Samuel Kelly and others, for remuneration for expenses incurred by attending the Astor trials, be referred to the Attorney-General.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Van Bergen; the same was again read, in the words following, to wit:

*Resolved*, That the vote of this House on the final passage of the engrossed resolution for amending the Constitution of this State, relative to the salt and auction duties, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 27 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. W. S. Paddock
Mr. Anthony	Mr. Groom	Mr. Palmer
Mr. Baker	Mr. Hall	Mr. Parker
Mr. Barnes	Mr. Harvey	Mr. Peck
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. J. Haskell	Mr. Phillips
Mr. Bennet	Mr. Healy	Mr. Powers
Mr. Brasher	Mr. Herttell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Quackenboss
Mr. Burhans	Mr. Hiller	Mr. Rice
Mr. Barnum	Mr. Hillyer	Mr. Ringgold
Mr. Cadwell	Mr. Hough	Mr. Roosevelt
Mr. Carpenter	Mr. Ingersoll	Mr. Seger
Mr. Carr	Mr. Jackson	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. Judd	Mr. Speaker
Mr. J. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. King	Mr. Stetson
Mr. Coe	Mr. Krum	Mr. Stevens
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Lockwood	Mr. Thorn
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crosby	Mr. Lytle	Mr. Van Benthuisen
Mr. Crowell	Mr. Mallory	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Kie	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Odell	Mr. Wheeler
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Wylie
Mr. Gray		

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Those who voted in the negative are

Mr. Blatchly	Mr. J. W. Lewis	Mr. M. H. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. Simmons
Mr. G. Brown	Mr. M'Cluer	Mr. C. Strong
Mr. Burke	Mr. M'Neil	Mr. E. Strong
Mr. Burr	Mr. Moore	Mr. Tomlinson
Mr. C. Clark	Mr. Moseley	Mr. Tyrrel
Mr. Farwell	Mr. Patterson	Mr. Woodward
Mr. Hildreth	Mr. Plumb	Mr. A. Woodworth
Mr. Horton	Mr. D. Sibley	Mr. W. Woodworth 27

Thereupon,

The said engrossed resolution was read the third time.

Debates were had thereon; and while the same was under consideration, Mr. Lockwood moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 85 }  
{ NAYS 31 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. W. S. Paddock
Mr. Anthony	Mr. Gray	Mr. Palmer
Mr. Baker	Mr. Griswold	Mr. Parker
Mr. Barnes	Mr. Groom	Mr. Peck
Mr. Beecher	Mr. Hall	Mr. Pettit
Mr. Benjamin	Mr. Harvey	Mr. Phillips
Mr. Bennet	Mr. J. Haskell	Mr. Powers
Mr. Brasher	Mr. Healy	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Quackenboss
Mr. Burhans	Mr. Hiller	Mr. Rice
Mr. Barnum	Mr. Hough	Mr. Ringgold
Mr. Cadwell	Mr. Ingersoll	Mr. Roosevelt
Mr. Carpenter	Mr. Jackson	Mr. Seger
Mr. Carr	Mr. Jones	Mr. Shafer
Mr. Cash	Mr. Judd	Mr. Shepard
Mr. A. Clark	Mr. Kent	Mr. Speaker
Mr. J. Clark	Mr. King	Mr. Springer
Mr. Clinch	Mr. Krum	Mr. Stetson
Mr. Coe	Mr. Lockwood	Mr. Stevens
Mr. Conklin	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Thorn
Mr. Crary	Mr. Mallory	Mr. Tillinghast
Mr. Crosby	Mr. M'Kie	Mr. Van Benthuisen
Mr. Crowell	Mr. Murphy	Mr. Van Bergen
Mr. Cuykendall	Mr. Odell	Mr. Wager
Mr. Davis	Mr. Ogden	Mr. Warren
Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wylie
Mr. Finch		

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Those who voted in the negative are

Mr. A. Brown	Mr. T. Lewis	Mr. Simmons
Mr. G. Brown	Mr. Livingston	Mr. C. Strong
Mr. Burr	Mr. M'Cluer	Mr. E. Strong
Mr. C. Clark	Mr. M'Neil	Mr. Tomlinson
Mr. Farwell	Mr. Moore	Mr. Tyrrel

Mr. A. Hascall	Mr. Moseley	Mr. Wheeler
Mr. Herttell	Mr. Patterson	Mr. Williams
Mr. Hildreth	Mr. Plumb	Mr. Woodward
Mr. Hillyer	Mr. D. Sibley	Mr. A. Woodworth
Mr. Horton	Mr. M. H. Sibley	Mr. W. Woodworth
Mr. J. W. Lewis		31

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 26 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. W. S. Paddock
Mr. Anthony	Mr. Groom	Mr. Palmer
Mr. Baker	Mr. Hall	Mr. Parker
Mr. Barnes	Mr. Harvey	Mr. Peck
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. J. Haskell	Mr. Phillips
Mr. Bennet	Mr. Healy	Mr. Powers
Mr. Brasher	Mr. Herttell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Quackenboss
Mr. Burhans	Mr. Hiller	Mr. Rice
Mr. Barnum	Mr. Hillyer	Mr. Ringgold
Mr. Cadwell	Mr. Hough	Mr. Roosevelt
Mr. Carpenter	Mr. Ingersoll	Mr. Seger
Mr. Carr	Mr. Jackson	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. Judd	Mr. Speaker
Mr. J. Clark	Mr. Kent	Mr. Springer
Mr. Clinch	Mr. King	Mr. Stetson
Mr. Coe	Mr. Krum	Mr. Stevens
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Lockwood	Mr. Thorn
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crosby	Mr. Lytle	Mr. Van Benthuisen
Mr. Crowell	Mr. Mallory	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Kie	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Odell	Mr. Wheeler
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Wylie
Mr. Gray		

Those who voted in the negative are

Mr. Blatchly	Mr. T. Lewis	Mr. Simmons
Mr. A. Brown	Mr. M'Cluer	Mr. C. Strong
Mr. G. Brown	Mr. M'Neil	Mr. E. Strong
Mr. Burr	Mr. Moore	Mr. Tomlinson
Mr. C. Clark	Mr. Moseley	Mr. Tyrrel
Mr. Farwell	Mr. Patterson	Mr. Woodward
Mr. Hildreth	Mr. Plumb	Mr. A. Woodworth
Mr. Horton	Mr. D. Sibley	Mr. W. Woodworth
Mr. J. W. Lewis	Mr. M. H. Sibley	26

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

Mr. Livingston, from the committee on the judiciary, to which was referred the report of the Chief Justice of the Supreme Court of this State, in answer to a resolution of the fourteenth of January, calling for information in relation to the Supreme Court, reported a resolution, in the words following, to wit:

*Resolved*, That the following amendment be proposed to the Constitution of this State, and that the same be referred to the Legislature next to be chosen, and published in pursuance of the provisions of the first section of the eighth article of the said Constitution:

That so much of the fourth section of the fifth article of the Constitution of this State, as limits the number of justices of the Supreme Court, be abolished, and that hereafter there shall be four justices of said court, unless the Legislature shall see fit to authorise the appointment of a larger number of justices; and that so much of the fourth section of the fifth article of said Constitution as relates to circuit judges, be, and the same is hereby abolished: And further, that said Constitution be further amended, by authorising the Legislature to establish a superior court of common pleas, of concurrent jurisdiction with the Supreme Court, (in all cases excepting such as the Legislature may hereafter except:) And further, that all writs of error from either the said Supreme Court or superior court of common pleas, shall be brought to and heard before the Court of Errors, provided for in said article fifth of the Constitution: And further, that the said superior court of common pleas shall consist of a chief justice and four justices, and no greater number without the Legislature shall otherwise direct, any of whom may hold the court, and who shall respectively hold their offices by the same manner of appointment, and under the same tenure, and subject to the same constitutional privileges and restrictions as are granted to or imposed upon the judges of the Supreme Court by said Constitution: And further, that the said chief justices and justices of the said Supreme Court and superior court of common pleas shall, in the trial of all issues joined in either of the courts last mentioned, and in courts of oyer and terminer and general gaol delivery, possess all the powers now conferred on the circuit judges of this State; and that it shall be the duty of the

said chief justices and justices of said courts, to hold all circuit courts for the trial of all issues joined in either of said courts in the several counties of this State, subject nevertheless to legislative direction and control.

*Ordered*, That the said resolution be committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said resolution be printed for the use of the Legislature.

[*See Document No. 193.*]

And then the House adjourned until eleven o'clock to-morrow morning.

## SATURDAY, FEBRUARY 21, 1835.

The House met pursuant to adjournment.

*Ordered*, That Mr. Stetson, Mr. Jackson, Mr. Ringgold, Mr. Burhans, Mr. Stevens, Mr. Farwell, Mr. Grain, Mr. Palmer and Mr. Burke, be a committee in pursuance of the fifty-first rule of this House.

Two several petitions of sundry inhabitants of the county of Delaware, and also of the mayor, aldermen and commonalty of the city of New-York, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Kirkland in the county of Oneida, praying for the incorporation of the village of Clinton in said town, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry citizens of the city of Albany, against the passage of an act for the relief of Geneva College, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Livingston, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for building a bridge across the Genesee river, with a remonstrance against the same, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Daniel T. and Thomas W. Newcomb, claiming the ownership of certain lots of land in Platt's location in the county of Clinton, and praying to be put in possession of the same, was read, and referred to the Surveyor-General.



The petition of sundry inhabitants of the county of Oswego, praying for the incorporation of a bank, to be located in the village of Oswego, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Essex, praying the aid of the State in the construction of a road from Port Henry in said county, to Whitehall in the county of Washington, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Schoharie, praying for the construction of a M'Adam road by the State from Albany to Owego, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Madison, against the construction of certain reservoirs in said county for the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Oneida, praying for the incorporation of a company to construct a rail-road from Utica to Syracuse, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Essex and Clinton, praying for the incorporation of a company by the name and style of the Sable Iron Company, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at Owego in said county, was read, and referred to the committee on the incorporation of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Tompkins, praying for an amendment of the act incorporating the Ithaca and Port Renwick Rail-Road Company, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Essex, praying for the incorporation of a company to construct a turnpike road from Chesterfield to Elizabethtown in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the town of Canajoharie in the county of Montgomery, praying for the passage of an act extending the time for the collection of taxes in said town, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Saratoga, praying for the incorporation of a company to construct a M'Adam



road from Waterford to Watervliet, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Tompkins, praying for aid from the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Rensselaer, praying for the passage of an act authorising the construction of a bridge across the Hudson river opposite the city of Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Griswold, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Lansingburgh in the county of Rensselaer, praying to be exempted from village taxes, reported a bill, entitled "An act to relieve certain taxable inhabitants of the village of Lansingburgh;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a M'Adam road from the northern termination of the Watervliet road, to Waterford, reported a bill, entitled "An act to incorporate the West-Troy and Waterford turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

*Ordered*, That the resolutions with a recital heretofore offered by Mr. Roosevelt, together with the bill entitled "An act to prevent the circulation within this State of all bank notes of a less denomination than five dollars," be committed to the committee of the whole when on said bill.

Mr. Burhans, from the committee on claims, to which was referred the petition of John Shiland, praying relief, reported; and offered the following resolution:

[*See Document No. 214.*]

*Resolved*, That the prayer of the petitioner be denied.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Adams, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the county of Montgomery, praying for the incorporation of the Mutual Fire Insurance Company in said county, reported a bill, entitled "An act for the incorporation of the Montgomery mutual fire insurance company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The annual report of Ebenezer Robbins, an inspector of beef and pork in the county of Oneida, was received and read.

[See Document No. 323.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

*Ordered*, That the petitioners for a repeal of the laws allowing persons other than sheriffs to serve declarations in civil causes, have leave to withdraw their petitions.

On motion of Mr. Adams,

*Resolved*, That the petition of the president and secretary of the Central Asylum, heretofore presented in behalf of said institution, be referred to the committee on the incorporation of charitable and religious societies.

On motion of Mr. W. S. Paddock,

*Resolved*, That the order of yesterday, making the bill to aid and expedite the construction of the New-York and Erie rail-road the special order for Tuesday next, be rescinded.

In pursuance of previous notice, Mr. Tyrrel asked for and obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents, to taxation,' passed April 27th, 1833;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilkinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State;'" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ogden, from the said committee, reported, that the committee had gone thro' the said bill, and agreed to the same without amendment; which he was directed to report to the House,

and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned until eleven o'clock on Monday morning next.

## MONDAY, FEBRUARY 23, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Queens, praying for the passage of an act authorising John Wall and his associates to construct a road from the village of Newtown to Bushwick in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Nine several petitions of sundry inhabitants of the counties of Delaware, Steuben, Tompkins, Orange and Rockland, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry firemen of the city of Albany, praying for an extension of their privileges, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Lockport to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tompkins, praying for a revision of the excise law, was read, and referred to the committee on the judiciary.

Two several petitions of sundry inhabitants of the county of Madison, praying that the reservoirs now constructing in said county for the Chenango canal may be abandoned, were read, and referred to the committee on canals and internal improvements.

Two several petitions of sundry inhabitants of the county of Oswego, relative to dams across Salmon river, were read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from Lockport to Batavia, were read, and referred to the committee on rail-roads.

Three several petitions of sundry inhabitants of the counties of New-York and Greene, praying for the passage of an act regulating the sale of pressed hay in said counties, were read, and refer-

red to a select committee, consisting of Mr. Van Bergen, Mr. Herttell and Mr. Wilcoxson.

The petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the board of supervisors of said county to raise five hundred dollars by tax, for the improvement of roads and bridges in said county, was read, and referred to a select committee, consisting of the members attending this House from the county of Genesee.

The petition of sundry inhabitants of the county of Oneida, praying for the incorporation of the Vernon Academy, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the city of New-York, praying for an alteration of the law relative to the inspection of flour and meal in said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Chenango, against the passage of an act restricting the circulation of bank notes under the denomination of five dollars, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the city of Buffalo, against the proposed amendment of the charter of said city, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the town of Ashford in the county of Cattaraugus, against annexing a part of the town of Otto to said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Orleans, against raising money by tax to make a road across Tonawanda swamp in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of Henry Fitzhugh and D. W. Cole of the county of Niagara, against the petition for the sale of certain lands in the village of Lewiston in said county, belonging to the State, was read, and referred to the committee on public lands.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Simon Mattison, for compensation for lumber furnished by him for the Erie canal, reported; and asked leave to introduce a bill.

[See Document No. 221.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act to provide for the payment to Simon Mattison of his debt against the State, for materials furnished for the Erie canal, &c.;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Junius Rogers, praying remuneration for services alleged to have been performed on the Erie canal, reported a bill, entitled "An act for the relief of Junius Rogers;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Asa Campbell, for remuneration for services rendered the State on the Erie canal, reported; and offered the following resolution:

[*See Document No. 222.*]

*Resolved*, That the prayer of the petitioner ought not to be granted, and that he have leave to withdraw his petition.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Adonijah Carter, asking relief on account of the loss of his eyesight, occasioned while on duty in the military service of this State, reported; and asked leave to introduce a bill.

[*See Document No. 217.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled "An act for the relief of Adonijah Carter;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of John Spencer and others, praying for the passage of an act extending the time for the collection of taxes in Canajoharie in the county of Montgomery, reported a bill, entitled "An act extending the time for the collection of taxes in the town of Canajoharie in the county of Montgomery;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition for a rail-road from Saratoga-Springs to the town of Malta, reported a bill, entitled "An act to provide for the construction of a rail-road from Saratoga-Springs to the town of Malta;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which was referred the petition of Bates Cook, reported; and asked leave to introduce a bill.

[ *See Document No. 228.* ]

*Ordered*, That leave be given to bring in such bill.

Mr. King, according to leave, brought in the said bill, entitled "An act for the relief of Bates Cook;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The Senate sent for concurrence, a bill entitled "An act for the relief of Enos Stone;" a bill entitled "An act in relation to the canals," and a bill entitled "An act to incorporate the Elmira Mechanics' society."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act for the relief of Enos Stone," was referred to the committee on claims; the bill entitled "An act in relation to the canals," was referred to the committee on canals and internal improvements; and the bill entitled "An act to incorporate the Elmira Mechanics' society," was referred to the committee on trade and manufactures, severally to consider and report thereon.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State;'" and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

{ AYES 106 }  
{ NAYS 03 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Hall	Mr. Phillips
Mr. Baker	Mr. Harvey	Mr. Plumb
Mr. Barnes	Mr. A. Hascall	Mr. Powers
Mr. Beecher	Mr. J. Haskell	Mr. Preston
Mr. Benjamin	Mr. Healy	Mr. Quackenbosc
Mr. Bennet	Mr. Hendee	Mr. Richmond
Mr. Blatchly	Mr. Herttell	Mr. Ringgold
Mr. Brasher	Mr. Hicks	Mr. Roosevelt



Mr. Brooks	Mr. Hildreth	Mr. Seger
Mr. A. Brown	Mr. Hiller	Mr. Shafer
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Burke	Mr. Horton	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. Kent	Mr. Stetson
Mr. Carr	Mr. King	Mr. C. Strong
Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. T. Lewis	Mr. Thorn
Mr. J. Clark	Mr. Livingston	Mr. Tillinghast
Mr. Clinch	Mr. Lockwood	Mr. Tomlinson
Mr. Coe	Mr. Loomis	Mr. Tyrrel
Mr. Conklin	Mr. Lytle	Mr. Van Benthuisen
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Cluer	Mr. Wager
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Crowell	Mr. M'Neil	Mr. Warren
Mr. Cuykendall	Mr. Moore	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Wilcoxson
Mr. Denniston	Mr. Ogden	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodward
Mr. Finch	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Gray	Mr. Murphy	Mr. Rice	3
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*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Senate was read, informing that they have passed the bill entitled "An act fixing the time for holding the annual town meeting in the town of Gates in the county of Monroe," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act regulating the tax on dogs," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act extending the time for the collection of taxes in the town of Canajoharie in the county of Montgomery," and find the same correctly engrossed.

Thereupon,

By the unanimous consent of the House, the said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

*Ordered*, That Mr. C. Clark have leave of absence for twelve days, Mr. Hough for one week, Mr. Niles for twelve days, Mr. Odell for two weeks, Mr. Palmer for ten days, and Mr. Peck for six days.

Mr. Tomlinson gave notice that he would, on some future day, ask leave to introduce a bill for the appointment of a Supreme Court commissioner, to reside in the village of Keeseville, county of Essex.

Mr. Ogden offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties," be the order of the day for Tuesday of next week.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 66 }  
{ NAYS 48 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Plumb
Mr. Baker	Mr. Griswold	Mr. Preston
Mr. Barnes	Mr. A. Hascall	Mr. Quackenboss
Mr. Bennet	Mr. J. Haskell	Mr. Rice
Mr. Blatchly	Mr. Healy	Mr. Ringgold
Mr. Brasher	Mr. Herttell	Mr. Roosevelt
Mr. A. Brown	Mr. Hildreth	Mr. D. Sibley
Mr. Burhans	Mr. Hillyer	Mr. M. H. Sibley
Mr. Burke	Mr. Horton	Mr. Speaker
Mr. Barnum	Mr. Ingersoll	Mr. Stotson
Mr. Burr	Mr. Judd	Mr. Suffern
Mr. Cash	Mr. Kent	Mr. Thorn
Mr. A. Clark	Mr. Livingston	Mr. Tomlinson
Mr. J. Clark	Mr. Mallory	Mr. Tyrrel
Mr. Clinch	Mr. M'Cluer	Mr. Van Bergen
Mr. Coe	Mr. M'Neil	Mr. Waldron
Mr. Crary	Mr. Moore	Mr. Warren
Mr. Crosby	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodward
Mr. Eldred	Mr. Patterson	Mr. W. Woodworth
Mr. Finch	Mr. Phillips	Mr. Wyke



Those who voted in the negative are

Mr. Adams	Mr. Harvey	Mr. W. S. Paddock
Mr. Beecher	Mr. Hendee	Mr. Pettit
Mr. Benjamin	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Richmond
Mr. Cadwell	Mr. Jackson	Mr. Seger
Mr. Carpenter	Mr. King	Mr. Shafer
Mr. Carr	Mr. Krum	Mr. Shepard
Mr. Conklin	Mr. T. Lewis	Mr. Springer
Mr. Cram	Mr. Lockwood	Mr. C. Strong
Mr. Crowell	Mr. Loomis	Mr. Tillinghast
Mr. Cuykendall	Mr. Lytle	Mr. Van Benthuisen
Mr. Farwell	Mr. M'Kie	Mr. Wager
Mr. Gray	Mr. Murphy	Mr. Wilcoxson
Mr. Groom	Mr. Ostrom	Mr. Wilkinson
Mr. Hall		

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On motion of Mr. Roosevelt,

*Resolved*, That the Canal Commissioners be requested to prepare and report to this House, at as early a day as conveniently may be, a statement shewing the average relative cost per mile of canals and rail-roads, the average relative expense annually of repairs and superintendence, and the average relative charges, per ton or other given quantity, for transportation; and also whether, in their opinion, any and what articles of produce, merchandize or manufacture, can or cannot (having a due regard to the saving of time as well as other circumstances) be more advantageously conveyed by rail-roads than by canals, with the reasons for their opinion, and such observations on the general subject of this resolution as they may deem appropriate to guide the action of the Legislature in reference thereto.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Cash; the same was again read, in the words following, to wit:

*Resolved*, That this House will, on and after Monday next, until the end of the session, meet at ten o'clock in the forenoon.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

On motion of Mr. Gray,

*Resolved*, That the memorial and other papers opposing the claim of Nathan Bumpus and others, which were presented to the Legislature at the last session, be referred to the committee of the whole when on that subject.

Mr. Brasher gave notice that he would, at some future day, ask leave to introduce a bill for the appointment of a public administrator in the city of Brooklyn.

Mr. Livingston offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the honorable the Senate concur herein,) That in addition to the books already directed by concurrent resolution at

this session to be sent to the British government, the following books be likewise procured and sent to the British government, in the manner directed by the said concurrent resolution, that is to say, one copy of all the published reports of adjudged cases in our supreme court and of equity and criminal courts.

*Ordered*, That the said resolution be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilkinson, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

For want of a quorum, the Speaker adjourned the House till eleven o'clock to-morrow morning.

## TUESDAY, FEBRUARY 24, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construe a rail-road from Batavia to Buffalo, was read, and referred to the committee on rail-roads.

The petition of Orlando Allen of the county of Erie, praying to be appointed a pawnbroker for the city of Buffalo, subject to the provisions of the Revised Statutes, was read, and referred to the committee on the judiciary.

Two several petitions of sundry inhabitants of the counties of Orange and Cattaraugus, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of sundry inhabitants of the city of New-York, praying for an alteration of the law regulating the inspection of flour, for the benefit of those who actually inspect flour in said city, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Dutchess and Ulster, praying for the incorporation of a bank, to be located in the village of Ulster in the county of Ulster, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Tioga, praying for the repeal of the law which exempts property belonging to the clergy and religious societies from taxation, was read, and referred to the committee on ways and means.

The petition of sundry inhabitants of the county of Sullivan, praying for the repeal of the law prohibiting botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry dealers in lumber in the city of New-York, praying for the passage of an act authorising the appointment of an additional inspector of lumber in said city, was read, and referred to the select committee on that subject, of which Mr. Clinch is chairman.

The remonstrance of sundry inhabitants of the county of Oneida, against restricting the circulation of small bills, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the construction of the Olean canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry inhabitants of the city of Buffalo, against an alteration of the charter of said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Cortland, against the incorporation of a bank in said county, was read, and referred to the committee on the incorporation of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the village of Clinton in the county of Clinton, against the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of D. T. Newcomb and others of the county of Essex, contractors for the construction of the Cedar Point road, praying for such relief as the Legislature in their wisdom may think fit to grant them, was read, and referred to the committee on claims.

The petition of the president, directors and company of the Mechanics' and Farmers' Bank of Albany, praying for an amendment of their charter, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of William Prince and others of Flushing in the county of Queens, against the petition of Elijah Peck for leave to erect a dock in Flushing creek, unless subject to certain restrictions, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Charles M'Lain and others of the county of Broome, praying for the reappraisal of certain lots of land therein mentioned, was read, and referred to the committee on public lands.

The petition of sundry inhabitants of Glenville in the county of Schenectady, praying for the passage of an act authorising the removal of certain obstructions in the passing of the bridge across the Mohawk, or a reduction of toll, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Niagara in the county of Niagara, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of New-York and Brooklyn, praying for the establishment of a steam-boat ferry between said cities, to be called the South Ferry, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Moseley, from the committee on Indian affairs, to which was referred numerous memorials from the counties of Onondaga and Cortland, praying for a grant from the State of the sum of two thousand dollars, for the purpose of improving a road through the lands of the Onondaga Indians, reported; and recommended that the prayer of the petitioners be denied.

[See Document No. 225.]

*Ordered,* That the said report be laid upon the table.

Mr. Cuykendall, from the committee on claims, to which was referred the petition of Uriah Jacobs, praying for compensation for revolutionary services, reported; and offered the following resolution:

[See Document No. 224.]

*Resolved,* That the prayer of the petitioner, Uriah Jacobs, be denied.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Nathaniel Pitcher and others, asking relief for Plyn Darby, reported; and recommended that the prayer of the petitioners be denied.

[See Document No. 227.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. M'Cluer, from the committee on trade and manufactures, to which was referred the petition of sundry inhabitants of the county of Essex, praying for the incorporation of the Sable Iron Company, to be located at the village of Sable-Forks in said county, reported a bill, entitled "An act to incorporate the Sable iron company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of George Kinsella, asking for a compensation for damages sustained by the construction of the Erie canal, reported; and recommended that the prayer of the petitioner be denied.

[See Document No. 223.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Burhans, from the committee on claims, to which was referred the engrossed bill from the Senate, entitled "An act for the relief of Enos Stone," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Joseph Menard, for a grant of land in right of his father Antoine Menard, as a Canadian refugee, reported; and offered the following resolution:

[See Document No. 231.]

*Resolved*, That the prayer of the petition of Joseph Menard, for a grant of land in the right of his father Antoine Menard, a Canadian refugee, ought not to be granted.

*Ordered*, That the said resolution be laid upon the table.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Elmira Mechanics' society," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the petition of sundry manufacturers and dealers in horn, shell and ivory combs, praying that the auction duty on said articles may be abolished on all sales in the city of New-York, reported a bill, entitled "An act to amend title first of chapter seventeenth of the first part of the Revised Statutes, 'Of sales by auctioneers;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Benthuisen, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petitions of sundry inhabitants of the counties of Ontario and Livingston, for an act to incorporate a mutual fire insurance company, to be located at West-Bloomfield in Ontario county, reported a bill, entitled "An act to incorporate the Ontario and Livingston county mutual insurance company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of George T. Perry and Henry Perry of Sullivan in the county of Madison, respectfully report:

[See Document No. 226.]

*Ordered*, That the said report be referred to the committee on grievances.

The annual report of James Lowerre, an inspector of beef and pork in the city of New-York, was received and read.

[See Document No. 326.]

*Ordered*, That the said report be referred to the committee on trade and manufactures.

*Ordered*, That Mr. Powers have leave of absence for two weeks, Mr. Pettit for twelve days, Mr. Williams for three days, and Mr. Krum for five days.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the resolution passed yesterday, in relation to the relative advantages of canals and rail-roads, be referred to a select committee, and that the Canal Commissioners be discharged from the consideration thereof.

Thereupon,

Mr. Denniston made a motion that the House should agree to amend the said resolution, by striking out all after the word "resolved," and inserting the following:

"That the resolution introduced yesterday, asking for information from the Canal Commissioners in reference to the comparative advantages of canals and rail-roads, be rescinded.

Debates were had thereon; and the question being put whether the House would agree to the said amendment, it was determined in the negative.

{ NAYS 78 }  
{ AYES 23 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Hendee	Mr. Phillips
Mr. Anthony	Mr. Herttell	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Beecher	Mr. Hildreth	Mr. Preston
Mr. Benjamin	Mr. Hiller	Mr. Rice
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. Brasher	Mr. Horton	Mr. Ringgold
Mr. A. Brown	Mr. Jackson	Mr. Roosevelt
Mr. G. Brown	Mr. Judd	Mr. Seger

Mr. Burke	Mr. Kent	Mr. Shepard
Mr. Barnum	Mr. King	Mr. D. Sibley
Mr. Carpenter	Mr. J. W. Lewis	Mr. Simmons
Mr. J. Clark	Mr. T. Lewis	Mr. Speaker
Mr. Clinch	Mr. Lockwood	Mr. Springer
Mr. Coe	Mr. Loomis	Mr. Stetson
Mr. Conklin	Mr. Lytle	Mr. C. Strong
Mr. Crosby	Mr. Mallory	Mr. Thorn
Mr. Crowell	Mr. M'Neil	Mr. Tillinghast
Mr. Cuykendall	Mr. Moore	Mr. Van Benthuisen
Mr. Davis	Mr. Moseley	Mr. Van Bergen
Mr. Farwell	Mr. Murphy	Mr. Wager
Mr. Fisher	Mr. Ostrom	Mr. Waldron
Mr. Gray	Mr. P. W. Paddock	Mr. Wheeler
Mr. Griswold	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Groom	Mr. Patterson	Mr. Wilkinson
Mr. Harvey	Mr. Pettit	Mr. Wylie

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Those who voted in the affirmative are

Mr. Baker	Mr. Finch	Mr. Quackenboss
Mr. Bennet	Mr. A. Hascall	Mr. M. H. Sibley
Mr. Burhans	Mr. J. Haskell	Mr. Suffern
Mr. Cash	Mr. Healy	Mr. Tomlinson
Mr. Crain	Mr. Ingersoll	Mr. Tyrrel,
Mr. Crary	Mr. Livingston	Mr. Warren
Mr. Denniston	Mr. M'Cluer	Mr. W. Woodworth
Mr. Eldred	Mr. Ogden	

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Thereupon,

*Ordered*, That Mr. Roosevelt have leave to withdraw his said resolution.

On motion of Mr. Roosevelt,

*Resolved*, That the committee of the whole have leave to sit again on the subject of the bill to define the powers and regulate the proceedings of rail-road corporations, in like manner as if such leave had been granted yesterday, when the House adjourned for want of a quorum.

The House then proceeded to the consideration of the resolution heretofore reported by Mr. M. H. Sibley, from the committee on claims, on the petition of Gertrude Gates; the same was again read, in the words following, to wit:

*Resolved*, That the petition of Gertrude Gates, for a grant of bounty lands, in the right of her late husband John Gates, or of a sum of money in lieu thereof, ought not to be granted; and that the petitioner have leave to withdraw her petition, and the documents accompanying the same.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Tomlinson asked for and obtained leave to bring in a bill, entitled "An act authorising the



appointment of a supreme court commissioner, to reside in the village of Keeseville and county of Essex;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Livingston; the same being amended, was again read, in the words following, to wit:

*Resolved*, (if the honorable the Senate concur hercin,) That in addition to the books already directed by concurrent resolution at this session to be sent to the British government, the following books be likewise procured and sent to the British government, in the manner directed by the said concurrent resolution, that is to say, one copy of all the published reports of adjudged cases in our supreme court and of the courts of equity.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilkinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until eleven o'clock to-morrow morning.

## WEDNESDAY, FEBRUARY 25, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Cayuga, praying for a repeal of the law incorporating the Montezuma Turnpike and Bridge Company, and all acts relating thereto, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Rensselaer, praying for authority to construct a bridge over the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.



The remonstrance of Rufus H. King and others, against the passage of the act to equalize the wards of the city of Albany, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of John G. Hicks and others of the county of Kings, praying for the passage of an act granting them certain lands situated under water in the East river, was read, and referred to a select committee, consisting of Mr. Brasher, Mr. Jackson and Mr. Wager.

The petition of John P. Sahler of the city of Rochester, praying for the passage of an act authorising him to take the oath of office as a commissioner of deeds, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Ulster, praying for the renewal of the act entitled "An act to incorporate the Eddyville bridge company," passed April 22d, 1831, was read, and referred to a select committee, consisting of Mr. Davis, Mr. W. Woodworth and Mr. Denniston.

The petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of an academy in the village of Manlius in said county, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Allegany, praying for the construction of the Olean canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Monroe, praying for an alteration in the present judiciary system, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Obadiah Jackson of the city of Brooklyn, praying for the passage of an act authorising him to erect wharves adjoining his lands in said city, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Brasher and Mr. Adams.

The remonstrance of sundry inhabitants of the city of Schenectady, against the petition of Robert Saunders for a modification of the Utica and Schenectady rail-road charter, was read, and referred to the committee on rail-roads.

The memorial of the supervisors of the city and county of New-York, praying for the repeal of the law exempting from taxation, unproductive capital of incorporated companies, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Kings, praying for the passage of an act authorising John Waters and his associates to construct a new road and bridge from the village of Newtown to the village of Bushwick, reported a bill, entitled "An act to incorporate the Bushwick bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the engrossed bill from the Senate, entitled "An act in relation to the canals," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

Thereupon,

*Ordered*, That the said bill be the order of the day for to-morrow.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry firemen of the city of Albany, praying for an extension of their privileges, reported a bill, entitled "An act extending further privileges to the firemen of the respective cities within this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a rail-road from the Rensselaer and Saratoga rail-road to the Saratoga and Schenectady rail-road, reported a bill, entitled "An act to provide for the construction of a rail-road from the Rensselaer and Saratoga rail-road to the Saratoga and Schenectady rail-road;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petitions of sundry inhabitants of the counties of Ontario, Cayuga and Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, reported a bill, entitled "An act to provide for the construction of a rail-road from Auburn to Rochester;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from the city of Rochester to the Charlotte rail-road, reported a bill, entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Stetson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to authorise S. D. Ferguson to convey by deed a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church in said village;" the bill entitled "An act authorising James L. Voorhees

and Asher Tappan to erect a toll-bridge across the Seneca river;" the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome;" the bill entitled "An act providing for the erection of a bridge over the Esopus creek;" the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany;" the bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish in the county of Jefferson;" and the bill entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to authorise S. D. Ferguson to convey by deed a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church in said village," be referred to a select committee, consisting of Mr. Lockwood, Mr. Powers and Mr. Cuykendall; that the bill entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river," be referred to a select committee, consisting of Mr. Wager, Mr. Lytle and Mr. Pettit; that the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome," be referred to a select committee, consisting of Mr. Cash, Mr. Blatchley and Mr. Crary; that the bill entitled "An act providing for the erection of a bridge over the Esopus creek," be referred to a select committee, consisting of Mr. Quackenboss, Mr. Hiller and Mr. Davis; that the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany," be referred to a select committee, consisting of Mr. Livingston, Mr. D. Sibley and Mr. Sufferin; that the bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish in the county of Jefferson," be referred to a select committee, consisting of Mr. A. Hascall, Mr. C. Strong and Mr. King; and that the bill entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river," be referred to a select committee, consisting of Mr. Tomlinson, Mr. Warren and Mr. Crain, to be by the said committees severally reported complete.

Mr. Blatchley, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the appointment of commissioners to lay out a road from Pike in the county of Allegany, to Attica in the county of Genesee, reported a bill, entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Mr. Wilkinson**, from the select committee to which was referred the petition of sundry inhabitants of the county of Onondaga, for a law to reduce and regulate the tolls on the canal around the dam at Baldwinsville in said county, and also the remonstrance of Stephen W. Baldwin and Harvey Baldwin against the said petition, reported; and asked leave to introduce a bill.

[*See Document No. 232.*]

*Ordered*, That leave be given to bring in such bill.

**Mr. Wilkinson**, according to leave, brought in the said bill, entitled "An act to amend the act entitled 'An act to continue in force the act passed February 24th, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,' passed April 7th, 1827;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act fixing the time for holding the annual town meeting in the town of Gates in the county of Monroe."

W. L. MARCY.

*Albany, February 24, 1835.*

A communication from the Attorney-General was received and read, in the words following, to wit:

ATTORNEY-GENERAL'S OFFICE, }  
*Albany, February 24, 1835.* }

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

In pursuance of a reference from the Assembly, I herewith transmit a report on the petition of Samuel Kelly and others.

Very respectfully,

Your obedient servant,

G. C. BRONSON.

[*See Document No. 234.*]

*Ordered*, That the said report be referred to the committee on claims.

The Senate sent for concurrence, a bill entitled "An act concerning the State hall;" a bill entitled "An act to incorporate the Troy orphan asylum," and a bill entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works.'"

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act concerning the State hall," was referred to a select committee; the bill entitled "An act to incorporate the Troy orphan asylum," was referred to the committee on the incorporation of charitable and religious societies; and the bill entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works.'" was referred to the committee on the incorporation of cities and villages, severally to consider and report thereon.

Mr. Brasher offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the following amendment be proposed to the Constitution of this State, and referred to the Legislature next to be chosen, and published in pursuance of the first section of the eighth article of said Constitution, viz:

"The mayor of the city of Brooklyn shall be elected annually by the male inhabitants of said city entitled to vote for members of the common council thereof, in such manner as the Legislature shall by law prescribe; and so much of the tenth section of article fourth of the Constitution of this State, as is inconsistent with this amendment, is abrogated."

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Brasher,

*Resolved*, That the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island," be the order of the day for the tenth of March next.

Mr. Wilkinson gave notice that he would, on some future day, ask leave to introduce a bill to extend for six years to Benajah Byington the privileges granted of searching for rock salt, by the act of April 13th, 1820.

On motion of Mr. Fisher,

*Resolved*, That the bill for districting the Cayuga and Susquehannah turnpike road, be taken from the general orders, and referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Fisher, Mr. D. Sibley and Mr. Crain, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to define the powers and regulate the proceedings of rail-road companies;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wilkinson, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of one member from each Senate district.

*Ordered*, That Mr. Livingston, Mr. Roosevelt, Mr. Ogden, Mr. Stetson, Mr. Gray, Mr. Crain, Mr. M. H. Sibley and Mr. D. Sibley, be the said committee.

And then the House adjourned till eleven o'clock to-morrow morning.

**THURSDAY, FEBRUARY 26, 1835.**

**The House met pursuant to adjournment.**

Two several petitions of sundry inhabitants of the counties of Delaware and Albany, praying for a repeal of the law abolishing imprisonment for debt, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Monroe and Genesee, praying for the incorporation of a company to construe a rail-road from Brockport to Le Roy, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Rensselaer, praying for the construction of a bridge over the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the collectors of taxes in the city of Albany, praying for the passage of an act extending the time for the collection of taxes in said city, was read, and referred to a select committee, consisting of the members attending this House from the city and county of Albany.

Two several petitions of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Joseph Tarbell and others of the St. Regis tribe of Indians, praying for an amendment of the law in relation to said tribe, was read, and referred to the committee on Indian affairs.

The petition of sundry inhabitants of the county of Herkimer, praying for an appropriation by the State to construct a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of the directors of the Saratoga and Schenectady Rail-Road Company, against the petition of S. Warren and others, for the incorporation of the Union Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Abel Peck and others of the county of Yates, praying for the passage of an act authorising the supervisors of said county to raise money by tax to complete the court-house and jail in said county, was read, and referred to a select committee, consisting of Mr. Mallory, Mr. Crain and Mr. Healy.

Two several petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, were read, and committed to the committee of the whole when on the bill upon that subject.



Mr. Moseley, from the committee on Indian affairs, to which was referred the several petitions of Josiah Rawson and Robert Toan of the town of Lenox in the county of Madison, praying for an act authorising the Commissioners of the Land-Office to convey to them certain lands belonging to individuals, members of the Orchard Party of Oneida Indians, and by them sold to the petitioners, reported; and asked leave to introduce a bill.

[See Document No. 218.]

*Ordered*, That leave be given to bring in such bill.

Mr. Moseley, according to leave, brought in the said bill, entitled "An act for the relief of Josiah Rawson and Robert Toan;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. C. Strong, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of Sullivan in the county of Madison, praying for a law authorising said town to raise money by tax, to improve a certain road in said town, reported a bill, entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Troy orphan asylum," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Van Benthuisen, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of the president, directors and company of the Mechanics' and Farmers' Bank in the city of Albany, praying for an amendment of their charter, reported a bill, entitled "An act to amend the charter of the Mechanics' and Farmers' bank in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of Samuel Trowbridge, asking for the passage of a law to restore to him ten dollars and sixty-four cents, a tax which he alleges he paid by mistake, reported; and recommended that the petitioner have leave to withdraw his petition.

[See Document No. 230.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. D. Sibley, from the select committee to which was referred the petition of sundry inhabitants of the city of Rochester, praying for the incorporation of a company by the name of the Rochester Water-Works Company, reported; and asked leave to introduce a bill.

[See Document No. 233.]

*Ordered,* That leave be given to bring in such bill.

Mr. D. Sibley, according to leave, brought in the said bill, entitled "An act to incorporate the Rochester water-works company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crain, from the select committee to which was referred the bill entitled "An act relative to the Cayuga and Susquehannah turnpike company," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. A. Hascall, from the select committee to which was referred the bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish taken in the county of Jefferson," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Cash, from the select committee to which was referred the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Quackenboss, from the select committee to which was re-



ferred the engrossed bill from the Senate, entitled "An act providing for the erection of a bridge over the Esopus creek," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

The engrossed bill from the Senate, entitled "An act providing for the erection of a bridge over the Esopus creek," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. A. Hascall gave notice that he would hereafter ask leave to introduce a bill to prohibit the sale of ardent spirits to the St. Regis Indians in the counties of Franklin and St. Lawrence, and to repeal so much of the act entitled "An act to amend the act entitled 'An act relative to the different tribes and nations of Indians in this State,' " passed April 11th, 1826, as relates to the St. Regis Indians.

Mr. Tomlinson gave notice that he would, on some future day, ask leave to introduce a bill, authorising the supervisors of the county of Essex to raise an additional sum of money for the completion of a fire-proof clerk's office in said county.

On motion of Mr. Shepard,

*Resolved*, That the bill for the relief of Josiah Rawson and Robert Toan, be made the special order for to-morrow.

On motion of Mr. Adams,

*Resolved*, That the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831," be made the special order of the day for Thursday next.

Mr. Cuykendall gave notice that he would, on some future day, ask leave to bring in a bill entitled "An act to provide for the payment of costs in certain cases."

Mr. Moore gave notice that he would, at some future time, ask leave to introduce a bill to vest certain additional powers in the Supreme Court commissioner appointed for the town of Whitehall in the county of Washington.

*Ordered*, That Mr. Benjamin have leave of absence for six days, and Mr. Carpenter for twelve days.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Brasher; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the following amendment be proposed to the Constitution of this State, and referred to the Legislature next to be chosen, and published in pursuance of the first section of the eighth article of said Constitution, viz:

"The mayor of the city of Brooklyn shall be elected annually by the male inhabitants of said city entitled to vote for members

of the common council thereof, in such manner as the Legislature shall by law prescribe; and so much of the tenth section of article fourth of the Constitution of this State, as is inconsistent with this amendment, is abrogated."

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 104 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Phillips
Mr. Anthony	Mr. Griswold	Mr. Philo
Mr. Baker	Mr. Groom	Mr. Plumb
Mr. Barnes	Mr. Harvey	Mr. Preston
Mr. Beecher	Mr. A. Hascall	Mr. Quackenboss
Mr. Bennet	Mr. J. Haskell	Mr. Rice
Mr. Blatchly	Mr. Healy	Mr. Richmond
Mr. Brasher	Mr. Hendee	Mr. Ringgold
Mr. Brooks	Mr. Hicks	Mr. Roosevelt
Mr. A. Brown	Mr. Hildreth	Mr. Seger
Mr. G. Brown	Mr. Hiller	Mr. Shafer
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Burke	Mr. Hutchinson	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. Kent	Mr. Springer
Mr. Carr	Mr. King	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. Suffern
Mr. A. Clark	Mr. T. Lewis	Mr. Thorn
Mr. J. Clark	Mr. Livingston	Mr. Tillinghast
Mr. Clinch	Mr. Lockwood	Mr. Tomlinson
Mr. Coe	Mr. Loomis	Mr. Tyrrel
Mr. Conklin	Mr. Lytle	Mr. Van Benthuisen
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Kie	Mr. Wager
Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Crowell	Mr. Moore	Mr. Warren
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Murphy	Mr. Wilcoxson
Mr. Denniston	Mr. Ogden	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Woodward
Mr. Farwell	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Finch	Mr. W. S. Paddock	Mr. Wylie
Mr. Fisher	Mr. Patterson	

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*Ordered,* That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, on the petition of John S. Quackenboss and others, asking of the Legislature two hundred acres of land, being a class right conveyed to their deceased father, Lieutenant Abraham D. Quackenboss, by a class in Col. Fisher's regiment of New-York militia, -or asking an equivalent in money, respectfully report:

[See Document No. 236.]

*Ordered*, That the said report be referred to the committee on public lands.

The Senate sent for concurrence, a bill entitled "An act authorising the comptroller to loan money to the county of Chautauque."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. M'Cluer, Mr. Woodward and Mr. Moseley.

A message from the Senate was read, informing that they have passed the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Wager made a motion that the House should agree to concur with the Senate in their said amendments.

Thereupon,

Mr. Livingston moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

{ NAYS 59 }  
{ AYES 44 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Baker	Mr. Healy	Mr. Preston
Mr. Barnes	Mr. Hendee	Mr. Richmond
Mr. Beecher	Mr. Herttell	Mr. Seger
Mr. Bennet	Mr. Hildreth	Mr. Shepard
Mr. Blatchly	Mr. Hiller	Mr. D. Sibley
Mr. Brooks	Mr. Hillyer	Mr. M. H. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. Simmons
Mr. G. Brown	Mr. Ingersoll	Mr. Springer
Mr. Burke	Mr. Jackson	Mr. Suffern
Mr. Barnum	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Burr	Mr. T. Lewis	Mr. Tomlinson
Mr. Carpenter	Mr. Mallory	Mr. Tyrrel
Mr. Coe	Mr. M'Kie	Mr. Van Benthuisen

Mr. Crary	Mr. M'Neil	Mr. Waldron
Mr. Cuykendall	Mr. Moore	Mr. Warren
Mr. Farwell	Mr. Moseley	Mr. Wheeler
Mr. Fisher	Mr. Ostrom	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. W. Woodworth
Mr. Harvey	Mr. Philo	Mr. Wylie
Mr. J. Haskell	Mr. Plumb	

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Those who voted in the affirmative are

Mr. Adams	Mr. Denniston	Mr. W. S. Paddock
Mr. Anthony	Mr. Eldred	Mr. Phillips
Mr. Brasher	Mr. Finch	Mr. Quackenboss
Mr. Burhans	Mr. Gray	Mr. Rice
Mr. Cadwell	Mr. Griswold	Mr. Ringgold
Mr. Carr	Mr. Judd	Mr. Roosevelt
Mr. Cash	Mr. Kent	Mr. Shafer
Mr. A. Clark	Mr. King	Mr. Speaker
Mr. J. Clark	Mr. Livingston	Mr. Stetson
Mr. Clinch	Mr. Lockwood	Mr. Thorn
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crain	Mr. Lytle	Mr. Wager
Mr. Crosby	Mr. Murphy	Mr. Wilcoxson
Mr. Crowell	Mr. Ogden	Mr. Wilkinson
Mr. Davis	Mr. P. W. Paddock	

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And then the House adjourned until eleven o'clock to-morrow morning.

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## FRIDAY, FEBRUARY 27, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the counties of Cayuga, Seneca and Ontario, praying for the incorporation of a company to construct a rail-road from Rochester to Auburn, was read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of sundry inhabitants of the counties of Orange, Steuben and Delaware, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Niagara, Monroe, Genesee and Erie, praying for the incorporation of a company to construt a rail-road from Batavia to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Saratoga, praying for the incorporation of a company to construct a rail-road from Schuylerville in said county, to the Rensselaer and Saratoga rail-road in the town of Halfmoon, was read, and referred to the committee on rail-roads.

The memorial of sundry dealers in flour and meal in the city of New-York, praying for an alteration in the law regulating the inspection of flour in said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a M'Adam road from Le Roy to Brockport, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the city and county of Albany, praying for the incorporation of a company to construct a rail-road from Greenbush to Massachusetts line, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Orleans, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge across the Oak-orchard creek in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Two several petitions of sundry inhabitants of the county of Columbia, praying for the repeal of the law which prohibits botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Cortland, praying for the repeal of the law which exempts church property and the property of the clergy from taxation, was read, and referred to the committee on ways and means.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, by the way of Batavia, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for the passage of an act requiring the Canal Commissioners to cause a survey and estimate to be made of the expense of constructing a ship canal from the Niagara river, by the way of Lockport, to Lake Ontario, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of St. Lawrence, praying for an amendment of the poor laws of said county, was read, and referred to the select committee on that subject, of which Mr. King is chairman.

The petition of sundry inhabitants of the county of Warren,

praying for the improvement of the Champlain feeder recommended by Holmes Hutchinson to the Canal Commissioners, was read, and referred to the committee on canals and internal improvements.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, who were instructed by the resolution of the House of Assembly of the twenty-seventh of January, to address interrogatories to the presidents, cashiers or other officers of the several banks under the Safety fund, (except those in the city of New-York,) requiring immediate answers under oath in writing, touching the practice referred to in the Governor's message, of exacting premiums on drafts as connected with the business of discounting, reported; and asked leave to introduce a bill.

[*See Document No. 229.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Wilkinson, according to leave, brought in the said bill, entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That four times the usual number of copies of the said report, together with the answers of the several banks accompanying the same, be printed for the use of the Legislature.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Harvey, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Buffalo in the county of Erie, praying for a division of said town, reported a bill, entitled "An act to divide the town of Buffalo in the county of Erie;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the select committee to which was referred the petition of Obadiah Jackson, praying for the passage of a law authorising the Commissioners of the Land-Office to grant to him certain lands for the purpose of docking in the East river at Brooklyn, reported; and asked leave to introduce a bill.

[*See Document No. 235.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Adams, according to leave, brought in the said bill, entitled

"An act authorising the commissioners of the land-office to grant certain lands to Obadiah Jackson;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Lockwood, from the select committee to which was referred the bill entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Lytle, from the select committee to which bill entitled "An act authorising James L. V. Tappan to erect a toll-bridge across the Seneca," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Livingston, from the select committee to which was referred the petition of the collectors of taxes in the county of Albany, reported; and asked leave to introduce a bill.

[*See Document No. 220.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Livingston, according to leave, brought in the said bill, entitled "An act extending the time for the collection of taxes in the city of Albany;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston; and it was unanimously determined in the affirmative.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges."

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the negative.

{ NAYS 57 }  
{ AYES 50 }



The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Baker	Mr. Groom	Mr. Ostrom
Mr. Barnes	Mr. Harvey	Mr. Patterson
Mr. Beecher	Mr. J. Haskell	Mr. Philo
Mr. Bennet	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hildreth	Mr. Preston
Mr. Brooks	Mr. Hiller	Mr. Richmond
Mr. A. Brown	Mr. Hillyer	Mr. Seger
Mr. G. Brown	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hutchinson	Mr. D. Sibley
Mr. Burr	Mr. Ingersoll	Mr. Simmons
Mr. C. Clark	Mr. J. W. Lewis	Mr. Suffern
Mr. J. Clark	Mr. T. Lewis	Mr. Tillinghast
Mr. Coe	Mr. Loomis	Mr. Tyrrel
Mr. Conklin	Mr. Mallory	Mr. Van Benthuysen
Mr. Crain	Mr. M'Chuer	Mr. Waldron
Mr. Crary	Mr. M'Kie	Mr. Warren
Mr. Cuykendall	Mr. M'Neil	Mr. Woodward
Mr. Finch	Mr. Moore	Mr. W. Woodworth
Mr. Fisher	Mr. Moseley	Mr. Wylie

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Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Rice
Mr. Anthony	Mr. Hall	Mr. Ringgold
Mr. Brasher	Mr. A. Hascall	Mr. Roosevelt
Mr. Burhans	Mr. Hendee	Mr. Shafer
Mr. Burke	Mr. Herttell	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hicks	Mr. Speaker
Mr. Carr	Mr. Jackson	Mr. Springer
Mr. Cash	Mr. Judd	Mr. C. Strong
Mr. A. Clark	Mr. Kent	Mr. Thorn
Mr. Clinch	Mr. King	Mr. Tomlinson
Mr. Crosby	Mr. Livingston	Mr. Van Bergen
Mr. Crowell	Mr. Lockwood	Mr. Wager
Mr. Davis	Mr. Lytle	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilcoxson
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. Quackenboss	

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**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House do non-concur with them in their said amendments.

The Senate sent for concurrence, a bill entitled "An act authorising Hezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn;" and a bill entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834."



The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act authorising Hezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn," was referred to a select committee, consisting of the members attending this House from the counties of Kings, Queens and Suffolk; and the bill entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," was referred to the committee on the judiciary, severally to consider and report thereon.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish in the county of Jefferson;" titled "An act relating to the Cayuga an company," and find the said bills several

Thereupon,

The said engrossed bill, entitled "An the Revised Statutes as relates to the county of Jefferson," was read the third

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An and Susquehannah turnpike company,"

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome;" and the engrossed bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

On motion of Mr. Speaker,

*Resolved*, That the petition of E. Smith Sweet, with the bill which passed this House for his relief at the last session, be referred to the committee on claims.

On motion of Mr. Witkinson,

*Ordered*, That the bill entitled "An act to prohibit the circulation of small bills," be made the special order of the day for Wednesday next.

*Ordered*, That Mr. W. S. Paddock have leave of absence for twelve days, and Mr. Moore for twelve days.

In pursuance of previous notice, Mr. Moore asked for and obtained leave to bring in a bill, entitled "An act to vest certain additional powers in the supreme court commissioner appointed for the town of Whitehall in the county of Washington;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Cuykendall asked for and

obtained leave to bring in a bill, entitled "An act to provide for the payment of costs in certain cases;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act in relation to the canals;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wylie, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Josiah Rawson and Robert Toan;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Richmond, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

And then the House adjourned until eleven o'clock to-morrow morning.

## SATURDAY, FEBRUARY 28, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the county of Queens, against the passage of an act authorising the erection of a new court-house at Hempstead in said county, was read, and committed to the committee of the whole when on the bill to which it relates.

The remonstrance of sundry inhabitants of the town of Buffalo in the county of Erie, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

Three several petitions of sundry inhabitants of the counties of Orange, Delaware and Otsego, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Suffolk, praying for the establishment of additional ferries between New-York and Brooklyn, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Niagara, praying for the passage of an act authorising the Canal Commissioners to survey and estimate the expense of a ship canal from the Niagara river, by way of Lockport, to Lake Ontario, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Ontario and Livingston, praying for the incorporation of a mutual insurance company, whose operations shall be confined to the said counties, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of the mayor, aldermen and commonalty of the city of Troy, against the erection of a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of St. Lawrence, praying for the construction of a canal, and for the improvement of the navigation of the river between Canton and Ogdensburgh, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Yates, praying that the office of inspector of sole leather in said county may be abolished, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Cortland, praying for the incorporation of the village of Homer in said county, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the village of Kingston in the county of Ulster, against the bill amending the charter of said village, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Essex, praying for aid from the State in the construction of a road from Elizabethtown to Schroon in the county of Warren, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Syracuse in the county of Onondaga, praying for an amendment of the charter of said village, was read, and referred to the committee on the incorporation of cities and villages.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Queens, praying for the incorporation of a company to construct a turnpike road through the towns of North-

Hempstead, Flushing and Oysterbay in said county, reported a bill, entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which were referred two several petitions of Charles M'Lain, with the report of the Commissioners of the Land-Office on one of the same, reported; and offered the following resolution:

[See Document No. 239.]

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Washington, praying for the erection of a bridge across the Hudson river at Schuylerville, reported a bill, entitled "An act to incorporate the Schuylerville bridge company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Tomlinson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the amendment ordered to be engrossed, and the bill ordered to a third reading.

The annual report of A. Van Sinderen, president of the Brooklyn Savings Bank, was received and read.

[See Document No. 335.]

*Ordered*, That the said report be laid upon the table.

A communication from James Porter, register of the Court of Chancery, was received and read.

[See Document No. 336.]

*Ordered*, That the said communication be laid upon the table.  
A communication from Alexander Forbus, clerk in chancery for the second circuit, was received and read.

[*See Document No. 243.*]

*Ordered*, That the said communication be laid upon the table.  
A communication from S. A. Goodwin, clerk in chancery for the seventh circuit, was received and read.

[*See Document No. 244.*]

*Ordered*, That the said communication be laid upon the table.  
A communication from John Keyes Paige, clerk of the Supreme Court, was received and read.

[*See Document No. 241.*]

*Ordered*, That the said communication be laid upon the table.  
A communication from Samuel L. Selden, clerk in chancery for the eighth circuit, was received and read.

[*See Document No. 249.*]

*Ordered*, That the said communication be laid upon the table.  
A communication from James Watson Williams, clerk in chancery for the fifth circuit, was received and read.

[*See Document No. 240.*]

*Ordered*, That the said communication be laid upon the table.  
A communication from G. M. Davison, clerk in chancery for the fourth circuit, was received and read.

[*See Document No. 245.*]

*Ordered*, That the said communication be laid upon the table.  
Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act extending the time for the collection of taxes in the city of Albany;" the engrossed bill entitled "An act for the relief of Josiah Rawson and Robert Toan;" the engrossed bill entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village;" and the engrossed bill entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act extending the time for the collection of taxes in the city of Albany," was read the third time.

**Resolved,** That the bill do pass.

The said engrossed bill, entitled "An act for the relief of Josiah Rawson and Robert Toan," was read the third time:

**Resolved,** That the bill do pass.

The said engrossed bill, entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village," was read the third time.

**Resolved,** That the bill do pass.

The said engrossed bill, entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Groom	Mr. Philo
Mr. Baker	Mr. Hall	Mr. Plumb
Mr. Barnes	Mr. Harvey	Mr. Preston
Mr. Bennet	Mr. A. Hascall	Mr. Richmond
Mr. Blatchly	Mr. Healy	Mr. Seger
Mr. Brasher	Mr. Hendee	Mr. Shepard
Mr. Brooks	Mr. Hicks	Mr. D. Sibley
Mr. A. Brown	Mr. Hildreth	Mr. M. H. Sibley
Mr. G. Brown	Mr. Hiller	Mr. Simmons
Mr. Burhans	Mr. Hillyer	Mr. Speaker
Mr. Barnum	Mr. Horton	Mr. Springer
Mr. Cadwell	Mr. Hutchinson	Mr. Stetson
Mr. Cash	Mr. Ingersoll	Mr. Stevens
Mr. A. Clark	Mr. Jackson	Mr. C. Strong
Mr. J. Clark	Mr. Judd	Mr. Suffern
Mr. Conklin	Mr. Kent	Mr. Thorn
Mr. Crain	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Crary	Mr. T. Lewis	Mr. Tyrrel
Mr. Crosby	Mr. Livingston	Mr. Van Benthuisen
Mr. Crowell	Mr. Loomis	Mr. Wager
Mr. Cuykendall	Mr. Mallory	Mr. Waldron
Mr. Davis	Mr. M'Neil	Mr. Warren
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilkinson
Mr. Eldred	Mr. Ogden	Mr. Woodbury
Mr. Farwell	Mr. Ostrom	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wylie
Mr. Gray	Mr. Phillips	

Those who voted in the negative are

Mr. J. Haskell

Mr. King

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorizing the Phoenix cotton manufactory to continue a dam across the Suckehannah river," with the engrossed amendments, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill and amendments, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. Hall	Mr. Philo
Mr. Barnes	Mr. Harvey	Mr. Preston
Mr. Bennet	Mr. A. Hascall	Mr. Rice
Mr. Blatchly	Mr. J. Haskell	Mr. Richmond
Mr. Brasher	Mr. Healy	Mr. Ringgold
Mr. Brooks	Mr. Hendee	Mr. Roosevelt
Mr. A. Brown	Mr. Hicks	Mr. Seger
Mr. G. Brown	Mr. Hildreth	Mr. Shepard
Mr. Burhans	Mr. Hiller	Mr. D. Sibley
Mr. Burke	Mr. Hillyer	Mr. M. H. Sibley
Mr. Barnum	Mr. Horton	Mr. Simmons
Mr. Cadwell	Mr. Hutchinson	Mr. Speaker
Mr. Cash	Mr. Ingersoll	Mr. Springer
Mr. A. Clark	Mr. Jackson	Mr. Stetson
Mr. J. Clark	Mr. Kent	Mr. Stevens
Mr. Clinch	Mr. King	Mr. C. Strong
Mr. Coe	Mr. J. W. Lewis	Mr. Suffern
Mr. Conklin	Mr. T. Lewis	Mr. Thorn
Mr. Crain	Mr. Livingston	Mr. Tillinghast
Mr. Crary	Mr. Lockwood	Mr. Tyrrel
Mr. Crosby	Mr. Loomis	Mr. Van Benthuisen
Mr. Crowell	Mr. Mallory	Mr. Wager
Mr. Cuykendall	Mr. M'Cluer	Mr. Waldron
Mr. Davis	Mr. M'Neil	Mr. Warren
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilkinson
Mr. Eldred	Mr. Ogden	Mr. Woodbury
Mr. Farwell	Mr. Ostrom	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wylie
Mr. Gray		

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**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendments therewith delivered.

On motion of Mr. Phillips,

**Resolved,** That the committee on colleges, academies and common schools, inquire into the propriety of so amending the laws of this State in relation to the distribution of the income of the Literature fund, as to require that the amount of such fund which may be apportioned to the Deaf and Dumb Institution in the city of New-York, shall be deducted from the total amount of such income, instead of the amount apportioned to the incorporated academies in the first senate district; and that said committee report thereon by bill or otherwise, as soon as may be convenient.

On motion of Mr. Dayan,

**Resolved,** That the bill for the construction of the Black river canal, be made the special order for Monday next.

**Ordered,** That Mr. Lytle have leave of absence for two weeks.

A message from the Senate was read, informing that they have passed the bill entitled "An act extending the time for the collection of taxes in the city of Albany," without amendment.

**Ordered,** That the Clerk deliver the said bill to the Governor.

Mr. Ogden offered for the consideration of the House, certain resolutions, in the words following, to wit:

**Resolved,** That the register, assistant register and clerks of the Court of Chancery, and clerks of the Supreme Court, do severally keep an accurate account of all fees received and charged by them for their official services, from the day of next, to the day of next, designating what amount has been received, and what amount charged: And that they also keep an account of all disbursements or expenses paid out or incurred by them in the discharge of their official duties respectively during the said time, specifying the amount paid for office rent, if any; the amount paid for clerk hire; the names of the deputies and clerks employed by them respectively, and the length of time each person is so employed, and the amount paid for stationary; and report the same to the Assembly, on or before the day of next.

**Resolved,** That the Clerk of this House transmit a copy of the above resolution to each of the officers named therein, and obtain evidence of the same having been delivered to them respectively, without delay.

**Resolved,** That the resolution of this House of the tenth instant, requiring the officers referred to in the foregoing, to report to this House, on or before the first day of March next, a full and accurate account of all sums of money received and charged by them respectively for their official services, between the first day of January 1834, and the first day of January 1835, &c. be, and the same is hereby rescinded.

The first of the foregoing resolutions having been amended, the same was again read, in the words following, to wit:



**Resolved,** That the register, assistant register and clerks of the Court of Chancery, the clerks of the Supreme Court, and the register of deeds in and for the city and county of New-York, be required severally to keep an accurate account of all fees received or charged by them for their official services, from the first day of April next, to the first day of January next; designating what amount has been received, and what amount charged: And that they also keep an account of all disbursements or expenses paid out or incurred by them in the discharge of their official duties respectively during the said time, specifying the amount paid for office rent, if any; the amount paid for clerk hire; the names of the deputies and clerks employed by them respectively, and the length of time each person is so employed, and the amount paid for stationary; and report the same to the Assembly, on or before the fifteenth day of January next: And that the register of deeds in and for the city of New-York, continue to keep his account until the first of April 1836, and then report to the Assembly.

Debates were had on the said resolutions; and while the same were under discussion,

Mr. Patterson made a motion that the question on adopting them be divided, and that the question on each be put separately.

Mr. Speaker put the question whether the House would agree to the motion of Mr. Patterson, and it was decided in the affirmative.

Debates having been had upon the first resolution,

Mr. Speaker put the question whether the House would agree thereto, and it was decided in the affirmative.

Mr. Speaker put the question whether the House would agree to the second resolution, and it was decided in the affirmative.

On motion of Mr. Roosevelt,

The third resolution was so amended as to read as follows:

**Resolved,** That the resolutions of this House of the tenth instant, requiring the officers referred to in the foregoing resolutions, to report to this House, on or before the first day of March next, a full and accurate account of all sums of money received and charged by them respectively for their official services, between the first day of January 1834, and the first day of January 1835, &c. be, and the same is hereby extended (as to the time of making the returns) to the twentieth day of March next.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was decided in the affirmative.

And then the House adjourned until ten o'clock on Monday morning next.

MONDAY, MARCH 2, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Queens, praying for permission to lay out a road from the Flushing turnpike to the ferry at Hallett's cove, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the town of Flushing, praying for the passage of an act authorising a restriction of the grant authorising Elijah Peck to erect a dock on Flushing creek in said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry officers of the militia of the city of New-York, praying for an amendment of the military law, was read, and referred to the committee on the militia and public defence.

The petition of sundry inhabitants of the county of Steuben, praying for an amendment of the act abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construe a rail-road from Syracuse to Rochester, were read, and referred to the committee on rail-roads.

The memorial of the common council of the city of New-York, in favor of the construction of a ship canal from Oswego to Utica, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Chenango and Broome, praying for aid in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Madison, against the construction of the reservoirs in said county for the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry dealers in lumber in the city of New-York, against the appointment of an additional inspector of lumber in said city, was read, and referred to the select committee on that subject, of which Mr. Ringgold is chairman.

The remonstrance of sundry auctioneers of the city of New-York, against the act to amend the auction law, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the counties of Saratoga, Washington, Warren, Essex and Clinton, praying for the incorporation of the Lake Champlain Steam Tow-Boat Company, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for improving certain roads through the Indian reservation, reported a bill, entitled "An act to amend an act entitled 'An act authorising money to be raised by tax in certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1883;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Livingston, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge across the Genesee river between the towns of Genesee and York, and also a remonstrance against the same, reported; and asked leave to introduce a bill.

[See Document No. 242.]

*Ordered,* That leave be given to bring in such bill.

Mr. Anthony, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Livingston to raise money to build a bridge in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees and inhabitants of the village of Syracuse, for an act to amend the charter of said village, reported a bill, entitled "An act to amend the several acts relative to the charter of the village of Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of a law to vest certain lands in the city of New-York, in the mayor, aldermen and commonalty of said city, reported; and asked leave to introduce a bill.

[See Document No. 251.]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act to vest certain lands, tenements and hereditaments, in the mayor, aldermen and commonalty of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to define the powers and regulate the proceedings of rail-road incorporations," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered*, That the said report be laid upon the table.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act extending the time for the collection of taxes in the city of Albany."

W. L. MARCY.

*Albany, February 28, 1835.*

In pursuance of previous notice, Mr. M'Neil asked for and obtained leave to bring in a bill, entitled "An act to revive the act entitled 'An act to vest certain powers in the freeholders and inhabitants in the village of Lewiston;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of W. H. Fairservice, praying remuneration for labor alleged to have been performed for the State; and that the same be referred to the Canal Commissioners.

In pursuance of previous notice, Mr. Brasher asked for and obtained leave to bring in a bill, entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. A. Hascall asked for and obtained leave to bring in a bill, entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Tomlinson,

*Resolved*, That the Comptroller furnish this House with a statement of all the sales of land for taxes, under and by virtue of the several acts for the assessment and collection of taxes, (not heretofore reported;) also the sales of land for arrears of quit rent in 1826, as far forth as the same have been sold and not redeemed; the town, county and tract where situated; describing the lot and number of acres sold, the amount for which the same was sold, and the name of the purchaser or purchasers.

On motion of Mr. Patterson,

*Resolved*, That the committee on colleges, academies and common schools, be instructed to inquire into the expediency of so amending the law in relation to common schools, as to provide for the payment of the school bills of indigent persons, by a tax on the taxable property in the respective districts, in place of the manner now provided by law.

On motion of Mr. Clinch,

*Resolved*, That the select committee to which was referred the memorial of the supervisors of the city and county of New-York, for a repeal of the law exempting from taxation unproductive capital of incorporated companies, be discharged from the further consideration of the same, and that it be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. M. H. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Debates were had thereon; and while the same was under consideration, the House adjourned till ten o'clock to-morrow morning.

**TUESDAY, MARCH 3, 1835.**

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the town of Niagara in the county of Niagara, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry mechanics and others of the village of Seneca-Falls, against the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, by way of Canandaigua and Minden, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Livingston, against the raising of money by tax on said county, to build a bridge across the Genesee river, was read, and committed to a committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Gibbonsville in the county of Albany, against the building of a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Luther Marsh and others of the county of Onondaga, praying for the passage of an act allowing writs of error on decisions of the Supreme Court on non-enumerated motions, was read, and referred to the committee on the judiciary.

Two several petitions of sundry inhabitants of the counties of Orange and Kings, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Chautauque, praying for the passage of an act authorising the appointment of a Supreme Court commissioner, to reside at Fredonia, was read, and referred to the committee on the judiciary.

The petition of sundry dealers in hay at Hudson in the county of Columbia, praying for relief in regard to the inspection of pressed hay in the city of New-York, was read, and referred to the select committee on that subject, of which Mr. Van Bergen is chairman.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of Henry N. Van Patten of the town of Rotterdam in the county of Schenectady, praying for further compensation for damages sustained in consequence of the destruction of his well by the construction of the Erie canal, and for remuneration for building a foot bridge, reported; and offered the following resolution:

[See Document No. 246.]

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of sundry inhabitants of the county of Delaware, praying for the incorporation of the Delaware Literary and Religious Institute, to be located in the village of Franklin in said county, reported a bill, entitled "An act to incorporate the Delaware literary and religious institute;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Lawrence Barclay, for compensation for labor done on the Cayuga and Seneca canal, reported; and asked leave to introduce a bill.

[See Document No. 247.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the payment of the claims of Lawrence Barclay, for services on the Cayuga and Seneca canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of an act repealing the law limiting the duration of the ordinances of the common council of said city, reported; and asked leave to introduce a bill.

[See Document No. 258.]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act relative to the laws and ordinances of the common council of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. T. Lewis, from the select committee to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for the purpose of repairing certain bridges therein, reported a bill, entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from John Walworth, assistant register in chancery, was received and read.

[See Document No. 246.]

*Ordered*, That the said communication be laid upon the table.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, pursuant to the directions of the act authorising the survey of a canal route from Rochester to Olean, respectfully report:

[See Document No. 264.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That Mr. Beecher have leave of absence for four days, and Mr. Shafer for eight days.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of E. Smith Sweet, and that the same be referred to the Attorney-General.

The House then proceeded to the consideration of the resolution of yesterday offered by Mr. M. H. Sibley; the same was again read, in the words following, to wit:

*Resolved*, That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Thereupon,

Mr. Wager made a motion that the House should agree to amend the said resolution, by striking out all after the word "Resolved," and insert "That no action of this House is called for in relation to the publication in the Albany Argus of yesterday, under the head of "The Bank investigation and the Bank attorney," to which the attention of the House was directed by the Hon. M. H. , a member from the county of Ontario."

Patterson made a motion that the House should agree to the amendment to the said resolution, by inserting in lieu of the following: "That the conduct of the printer to this , in publishing in the Albany Argus, with the apparent design of impugning the motives and conduct of a member of this , a part of the answer of the cashier of the Bank of Ontario, to one of the interrogatories propounded to him by order of this House, when the whole of such answer was material to the proper understanding of the part so published, was improper and reprehensible."

Debates were had upon the said amendment of Mr. Patterson; and the question being put whether the House would agree thereto, it was determined in the negative.



{ NAYS 72 }  
{ AYES 25 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Anthony	Mr. Fisher	Mr. P. W. Paddock
Mr. Baker	Mr. Gray	Mr. Phillips
Mr. Barnes	Mr. Griswold	Mr. Preston
Mr. Bennet	Mr. Groom	Mr. Quackenboss
Mr. Brooks	Mr. Harvey	Mr. Ringgold
Mr. Burhans	Mr. Healy	Mr. Roosevelt
Mr. Barmum	Mr. Hicks	Mr. Shepard
Mr. Cadwell	Mr. Hiller	Mr. Speaker
Mr. Carr	Mr. Hough	Mr. Springer
Mr. Cash	Mr. Ingersoll	Mr. Stetson
Mr. A. Clark	Mr. Jackson	Mr. Stevens
Mr. J. Clark	Mr. Jones	Mr. Thora
Mr. Clinch	Mr. Judd	Mr. Tillinghast
Mr. Coe	Mr. Kent	Mr. Van Benthuisen
Mr. Conklin	Mr. King	Mr. Wager
Mr. Crain	Mr. Krum	Mr. Waldron
Mr. Crary	Mr. J. W. Lewis	Mr. Warren
Mr. Crosby	Mr. Livingston	Mr. Wetmore
Mr. Crowell	Mr. Lockwood	Mr. Wheeler
Mr. Cuykendall	Mr. Loomis	Mr. Wilcoxson
Mr. Davis	Mr. Mallory	Mr. Wilkinson
Mr. Dayan	Mr. Murphy	Mr. Williams
Mr. Eldred	Mr. Ogden	Mr. Woodbury
Mr. Finch	Mr. Ostrom	Mr. Wylie

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Those who voted in the affirmative are

Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. C. Strong
Mr. A. Hascall	Mr. M'Kie	Mr. E. Strong
Mr. J. Haskell	Mr. M'Neil	Mr. Tomlinson
Mr. Hendee	Mr. Moseley	Mr. Tyrrel
Mr. Hildreth	Mr. Patterson	Mr. Woodward
Mr. Hillyer		

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Debates were thereupon had upon the said amendment of Mr. Wager; and the question being put whether the House would agree thereto, it was determined in the affirmative.

{ AYES 84 }  
{ NAYS 19 }

## MONDAY, MARCH 2, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Queens, praying for permission to lay out a road from the Flushing turnpike to the ferry at Hallett's cove, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the town of Flushing, praying for the passage of an act authorising a restriction of the grant authorising Elijah Peck to erect a dock on Flushing creek in said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry officers of the militia of the city of New-York, praying for an amendment of the military law, was read, and referred to the committee on the militia and public defence.

The petition of sundry inhabitants of the county of Steuben, praying for an amendment of the act abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construe a rail-road from Syracuse to Rochester, were read, and referred to the committee on rail-roads.

The memorial of the common council of the city of New-York, in favor of the construction of a ship canal from Oswego to Utica, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Chenango and Broome, praying for aid in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Madison, against the construction of the reservoirs in said county for the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry dealers in lumber in the city of New-York, against the appointment of an additional inspector of lumber in said city, was read, and referred to the select committee on that subject, of which Mr. Ringgold is chairman.

The remonstrance of sundry auctioneers of the city of New-York, against the act to amend the auction law, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the counties of Saratoga, Washington, Warren, Essex and Clinton, praying for the incorporation of the Lake Champlain Steam Tow-Boat Company, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for improving certain roads through the Indian reservation, reported a bill, entitled "An act to amend an act entitled 'An act authorising money to be raised by tax in certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Livingston, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge across the Genesee river between the towns of Genesee and York, and also a remonstrance against the same, reported; and asked leave to introduce a bill.

[See Document No. 242.]

*Ordered*, That leave be given to bring in such bill.

Mr. Anthony, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Livingston to raise money to build a bridge in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees and inhabitants of the village of Syracuse, for an act to amend the charter of said village, reported a bill, entitled "An act to amend the several acts relative to the charter of the village of Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of a law to vest certain lands in the city of New-York, in the mayor, aldermen and commonalty of said city, reported; and asked leave to introduce a bill.

[See Document No. 251.]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act to vest certain lands, tenements and hereditaments, in the mayor, aldermen and commonalty of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to define the powers and regulate the proceedings of rail-road incorporations," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered*, That the said report be laid upon the table.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act extending the time for the collection of taxes in the city of Albany."

W. L. MARCY.

*Albany, February 28, 1835.*

In pursuance of previous notice, Mr. M'Neil asked for and obtained leave to bring in a bill, entitled "An act to revive the act entitled 'An act to vest certain powers in the freeholders and inhabitants in the village of Lewiston;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of W. H. Fairservice, praying remuneration for labor alleged to have been performed for the State; and that the same be referred to the Canal Commissioners.

In pursuance of previous notice, Mr. Brasher asked for and obtained leave to bring in a bill, entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. A. Hascall asked for and obtained leave to bring in a bill, entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Tomlinson,

*Resolved*, That the Comptroller furnish this House with a statement of all the sales of land for taxes, under and by virtue of the several acts for the assessment and collection of taxes, (not heretofore reported;) also the sales of land for arrears of quit rent in 1826, as far forth as the same have been sold and not redeemed; the town, county and tract where situated; describing the lot and number of acres sold, the amount for which the same was sold, and the name of the purchaser or purchasers.

On motion of Mr. Patterson,

*Resolved*, That the committee on colleges, academies and common schools, be instructed to inquire into the expediency of so amending the law in relation to common schools, as to provide for the payment of the school bills of indigent persons, by a tax on the taxable property in the respective districts, in place of the manner now provided by law.

On motion of Mr. Clinch,

*Resolved*, That the select committee to which was referred the memorial of the supervisors of the city and county of New-York, for a repeal of the law exempting from taxation unproductive capital of incorporated companies, be discharged from the further consideration of the same, and that it be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. M. H. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Debates were had thereon; and while the same was under consideration, the House adjourned till ten o'clock to-morrow morning.

## TUESDAY, MARCH 3, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the town of Niagara in the county of Niagara, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry mechanics and others of the village of Seneca-Falls, against the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, by way of Canandaigua and Minden, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Livingston, against the raising of money by tax on said county, to build a bridge across the Genesee river, was read, and committed to a committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Gibbonsville in the county of Albany, against the building of a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Luther Marsh and others of the county of Onondaga, praying for the passage of an act allowing writs of error on decisions of the Supreme Court on non-enumerated motions, was read, and referred to the committee on the judiciary.

Two several petitions of sundry inhabitants of the counties of Orange and Kings, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Chautauque, praying for the passage of an act authorising the appointment of a Supreme Court commissioner, to reside at Fredonia, was read, and referred to the committee on the judiciary.

The petition of sundry dealers in hay at Hudson in the county of Columbia, praying for relief in regard to the inspection of pressed hay in the city of New-York, was read, and referred to the select committee on that subject, of which Mr. Van Bergen is chairman.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of Henry N. Van Patten of the town of Rotterdam in the county of Schenectady, praying for further compensation for damages sustained in consequence of the destruction of his well by the construction of the Erie canal, and for remuneration for building a foot bridge, reported; and offered the following resolution:

[See Document No. 248.]

*Resolved*, That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of sundry inhabitants of the county of Delaware, praying for the incorporation of the Delaware Literary and Religious Institute, to be located in the village of Franklin in said county, reported a bill, entitled "An act to incorporate the Delaware literary and religious institute;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Lawrence Barclay, for compensation for labor done on the Cayuga and Seneca canal, reported; and asked leave to introduce a bill.

[See Document No. 247.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the payment of the claims of Lawrence Barclay, for services on the Cayuga and Seneca canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of an act repealing the law limiting the duration of the ordinances of the common council of said city, reported; and asked leave to introduce a bill.

[See Document No. 258.]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act relative to the laws and ordinances of the common council of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. T. Lewis, from the select committee to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for the purpose of repairing certain bridges therein, reported a bill, entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from John Walworth, assistant register in chancery, was received and read.

[See Document No. 246.]

*Ordered*, That the said communication be laid upon the table.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, pursuant to the directions of the act authorising the survey of a canal route from Rochester to Olean, respectfully report:

[See Document No. 264.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That Mr. Beecher have leave of absence for four days, and Mr. Shafer for eight days.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of E. Smith Sweet, and that the same be referred to the Attorney-General.

The House then proceeded to the consideration of the resolution of yesterday offered by Mr. M. H. Sibley; the same was again read, in the words following, to wit:

*Resolved*, That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Thereupon,

Mr. Wager made a motion that the House should agree to amend the said resolution, by striking out all after the word "Resolved," and insert "That no action of this House is called for in relation to the publication in the Albany Argus of yesterday, under the head of "The Bank investigation and the Bank attorney," to the attention of the House was directed by the Hon. M. H. , a member from the county of Ontario."

Patterson made a motion that the House should agree to the amendment to the said resolution, by inserting in lieu of the following: "That the conduct of the printer to this , in publishing in the Albany Argus, with the apparent design of impugning the motives and conduct of a member of this , a part of the answer of the cashier of the Bank of Ontario, to one of the interrogatories propounded to him by order of this House, when the whole of such answer was material to the proper understanding of the part so published, was improper and reprehensible."

Debates were had upon the said amendment of Mr. Patterson; and the question being put whether the House would agree thereto, it was determined in the negative.



{ NAYS 72 }  
 { AYES 25 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Anthony	Mr. Fisher	Mr. P. W. Paddock
Mr. Baker	Mr. Gray	Mr. Phillips
Mr. Barnes	Mr. Griswold	Mr. Preston
Mr. Bennet	Mr. Groom	Mr. Quackenboss
Mr. Brooks	Mr. Harvey	Mr. Ringgold
Mr. Burhans	Mr. Healy	Mr. Roosevelt
Mr. Barnum	Mr. Hicks	Mr. Shepard
Mr. Cadwell	Mr. Hiller	Mr. Speaker
Mr. Carr	Mr. Hough	Mr. Springer
Mr. Cash	Mr. Ingersoll	Mr. Stetson
Mr. A. Clark	Mr. Jackson	Mr. Stevens
Mr. J. Clark	Mr. Jones	Mr. Thorn
Mr. Clinch	Mr. Judd	Mr. Tillinghast
Mr. Coe	Mr. Kent	Mr. Van Benthuisen
Mr. Conklin	Mr. King	Mr. Wager
Mr. Crain	Mr. Krum	Mr. Waldron
Mr. Crary	Mr. J. W. Lewis	Mr. Warren
Mr. Crosby	Mr. Livingston	Mr. Wetmore
Mr. Crowell	Mr. Lockwood	Mr. Wheeler
Mr. Cuykendall	Mr. Loomis	Mr. Wilcoxson
Mr. Davis	Mr. Mallory	Mr. Wilkinson
Mr. Dayan	Mr. Murphy	Mr. Williams
Mr. Eldred	Mr. Ogden	Mr. Woodbury
Mr. Finch	Mr. Ostrom	Mr. Wylie

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Those who voted in the affirmative are

Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. C. Strong
Mr. A. Hascall	Mr. M'Kie	Mr. E. Strong
Mr. J. Haskell	Mr. M'Neil	Mr. Tomlinson
Mr. Hendee	Mr. Moseley	Mr. Tyrrel
Mr. Hildreth	Mr. Patterson	Mr. Woodward
Mr. Hillyer		

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Debates were thereupon had upon the said amendment of Mr. Wager; and the question being put whether the House would agree thereto, it was determined in the affirmative.

{ AYES 84 }  
 { NAYS 19 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Barnes	Mr. A. Hascall	Mr. Preston
Mr. Bennet	Mr. Healy	Mr. Quackenboss
Mr. Brooks	Mr. Hendee	Mr. Ringgold
Mr. A. Brown	Mr. Hicks	Mr. Roosevelt
Mr. Burhans	Mr. Hiller	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. Speaker
Mr. Carr	Mr. Ingersoll	Mr. Springer
Mr. Cash	Mr. Jackson	Mr. Stetson
Mr. A. Clark	Mr. Jones	Mr. Stevens
Mr. J. Clark	Mr. Judd	Mr. C. Strong
Mr. Clinch	Mr. Kent	Mr. E. Strong
Mr. Coe	Mr. King	Mr. Thorn
Mr. Conklin	Mr. Krum	Mr. Tillinghast
Mr. Crain	Mr. J. W. Lewis	Mr. Van Benthuisen
Mr. Crary	Mr. T. Lewis	Mr. Wager
Mr. Crosby	Mr. Livingston	Mr. Waldron
Mr. Crowell	Mr. Lockwood	Mr. Warren
Mr. Cuykendall	Mr. Loomis	Mr. Wetmore
Mr. Davis	Mr. Mallory	Mr. Wheeler
Mr. Dayan	Mr. M'Cluer	Mr. Wilcoxson
Mr. Eldred	Mr. Moseley	Mr. Wilkinson
Mr. Finch	Mr. Murphy	Mr. Williams
Mr. Fisher	Mr. Ogden	Mr. Woodbury
Mr. Gray	Mr. Ostrom	Mr. Woodward
Mr. Griswold	Mr. P. W. Paddock	Mr. Wylie

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Those who voted in the negative are

Mr. G. Brown	Mr. Horton	Mr. D. Sibley
Mr. Burr	Mr. M'Kie	Mr. Simmons
Mr. J. Haskell	Mr. M'Neil	Mr. Tomlinson
Mr. Hildreth	Mr. Richmond	Mr. Tyrrel

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Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

And then the House adjourned until ten o'clock to-morrow morning.

WEDNESDAY, MARCH 4, 1835.

The House met pursuant to adjournment.

The petition of three thousand four hundred and seventy-nine citizens residing in the upper wards of the city of New-York, praying for the establishment of additional ferries between that city and Long Island, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Otsego, praying for relief from offensive practices by manufacturing incorporations, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

The petition of Bernardus Swartwout of the county of Saratoga, praying for the passage of an act authorising the Canal Commissioners to lease the surplus waters of the Glen's falls feeder, was read, and referred to the Canal Commissioners.

The petition of sundry inhabitants of the city of Troy, for a rail-road from said city to West-Stockbridge, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the village of West-Troy in the county of Albany, against the building of a bridge across the Hudson river opposite the city of Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Brasher, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising H Ezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Isaac Satterly, asking for a grant of bounty lands to the heirs of Henry Satterly, for his services in the war of the revolution, reported; and asked leave to introduce a bill.

[*See Document No. 353.*]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act to satisfy the claim of the heirs of Henry Satterly, a soldier of the revolution, to bounty lands;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hicks, from the select committee to which was referred the petition of sundry inhabitants of the county of Warren, for an act authorising the supervisors of said county to raise money by tax, for repairing their clerk's office, reported; and asked leave to introduce a bill.

[See Document No. 256.]

*Ordered*, That leave be given to bring in such bill.

Mr. Hicks, according to leave, brought in the said bill, entitled "An act to provide for repairing the clerk's office in the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Senate was read, informing that they have receded from their amendment, non-concurred in by this House, to the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have concurred with this House in its amendment to the bill entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have rejected the bill entitled "An act for the relief of Samuel S. Lush."

On motion of Mr. Wilkinson,

*Resolved*, That the several petitions, private statements and certificates of sundry individuals, relative to the incorporation of a bank, to be located in the village of Kinderhook, presented to the last Legislature, and now on file in this House, be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

On motion of Mr. Wilcoxson,

*Resolved*, That the bill entitled "An act to divide the town of Manlius in the county of Onondaga," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Wilkinson, Mr. Ogden and Mr. Wager, be the said committee.

Mr. Cuykendall gave notice that he would, on some future day, ask leave to introduce a bill to amend the act entitled "Of courts held by justices of the peace."

Mr. Livingston gave notice that he would hereafter ask leave to introduce a bill to repeal the "Act concerning the court for the correction of errors," passed April 26th, 1832.

*Ordered*, That the committee on grievances be discharged from the consideration of the petition of sundry inhabitants of the county of Yates, praying relief from the injurious effects of the canal upon

the hydraulic works on the outlet of the Crooked lake, and that the same be referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

On motion of Mr. Wager,

*Resolved*, That the proceedings of a public meeting held at Utica, February 5th, 1835, to take measures to effect the construction of a ship canal between Lake Ontario and the Hudson river, together with the report and estimate of E. F. Johnson, be referred to the Canal Board, for their opinion thereon.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the construction of the Black river canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Clinch, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges."

W. L. MARCY.

*Albany, March 4, 1835.*

The House then resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

THURSDAY, MARCH 5, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Suffolk, praying for the incorporation of a company to construct a wharf at Oysterpond village in said county, was read, and referred to a select committee, consisting of Mr. Conklin, Mr. Phillips and Mr. Jackson.

Two several petitions of sundry inhabitants of the counties of Chenango, Broome and Tioga, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of James E. De Kay and Daniel Fleet of the county of Queens, praying for the passage of an act permitting them to build a wharf adjacent to their lands in the town of Oysterbay in said county, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Conklin.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Lockport to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for the passage of an act authorising the laying out of a road from the village of Niagara to the Niagara river, together with a remonstrance against the same, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Monroe and Genesee, praying for the incorporation of a company to construct a M'Adam road from Le Roy in the county of Genesee, to the village of Brockport in the county of Monroe, reported a bill, entitled "An act to incorporate the Le Roy and Brockport M'Adam road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hough, from the committee on grievances, to which was referred the petition of James F. Bradt of the town of Rotterdam in the county of Schenectady, praying for damages for the destruction of his well by the water of the Erie canal, reported; and recommended that the prayer of the petitioner be denied.

[See Document No. 250.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Orleans, praying for the passage of an act authorising the supervisors to raise money to build a bridge across Oak-orchard creek in said county, reported a bill, entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred so much of the message of the Governor as relates to the enlargement of the Erie canal, and the report of the Canal Commissioners on the same subject, reported; and asked leave to introduce a bill.

[See Document No. 254.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wager, according to leave, brought in the said bill, entitled "An act in relation to the Erie canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Stetson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act authorising George Ohl to change his name;" the bill entitled "An act concerning the granting of licenses;" the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834;" the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company;" the bill entitled "An act to amend an act to incorporate the Oneida lake canal company;" the bill entitled "An act to amend and extend the charter of the Cairo bridge company;" the bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer;" the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property;" and the bill entitled "An act in relation to district school-houses."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act authorising George Ohl to change his name," be referred to a select committee, consisting of Mr. Rice, Mr. Hicks and Mr.

Healy; that the bill entitled "An act concerning the granting of licenses," be referred to a select committee, consisting of Mr. Wilkinson, Mr. Ringgold and Mr. Tomlinson; that the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834," be referred to a select committee, consisting of Mr. Baker, Mr. Burr and Mr. Burke; that the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," be referred to a select committee, consisting of Mr. Van Benthuysen, Mr. Horton and Mr. Griswold; that the bill entitled "An act to amend an act to incorporate the Oneida lake canal company," be referred to a select committee, consisting of Mr. Wager, Mr. D. Sibley and Mr. Brooks; that the bill entitled "An act to amend and extend the charter of the Cairo bridge company," be referred to a select committee, consisting of Mr. Van Bergen, Mr. Wilkinson and Mr. Crosby; that the bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer," be referred to a select committee, consisting of Mr. Springer, Mr. A. Hascall and Mr. Livingston; that the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,'" be referred to a select committee, consisting of Mr. Dayan, Mr. Roosevelt and Mr. Wager; and that the bill entitled "An act in relation to district school-houses," be referred to a select committee, consisting of Mr. King, Mr. Burhans and Mr. Loomis, to be by the said committees severally reported complete.

Mr. Moseley, from the committee on Indian affairs, to which was referred the petition of John Hill, Jenny Hill and Anthony Otsequette, for the payment of the principal sums for which annuities are now paid them by the State, reported; and asked leave to introduce a bill.

[See Document No. 259.]

*Ordered,* That leave be given to bring in such bill.

Mr. Moseley, according to leave, brought in the said bill, entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Angelica in the county of Allegany, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Angelica;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to divide the town of Manlius in the county



of Onondaga," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in this place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Brasher, from the select committee to which was referred the petition of John G. Hicks, John Schenck and Jane B. Smith of the city of Brooklyn, praying for a grant of certain land under water, and adjoining their premises in said city, reported; and asked leave to introduce a bill.

[See Document No. 252.]

*Ordered*, That leave be given to bring in such bill.

Mr. Brasher, according to leave, brought in the said bill, entitled "An act granting to John G. Hicks, John Schenck and Jane B. Smith, certain land under water in the East river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the select committee to which was referred the petition of the commissioners appointed to superintend the erection of a court-house and jail in the county of Yates, reported; and asked leave to introduce a bill.

[See Document No. 255.]

*Ordered*, That leave be given to bring in such bill.

Mr. Crain, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money, to complete the court-house and jail, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the construction of the Black river canal," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

Mr. Richmond made a motion that the House should agree to lay the said bill upon the table.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Richmond, it was determined in the negative.

{ NAYS 67 }  
{ AYES 37 }

The ayes and nays being required by ten members,

## Those who voted in the negative are

Mr. Adams	Mr. Fisher	Mr. Phillips
Mr. Anthony	Mr. Gray	Mr. Powers
Mr. Baker	Mr. Hall	Mr. Quackenboss
Mr. Brasher	Mr. A. Hascall	Mr. Roosevelt
Mr. Brooks	Mr. J. Haskell	Mr. Seger
Mr. A. Brown	Mr. Healy	Mr. Shepard
Mr. Burhans	Mr. Herttell	Mr. Simmons
Mr. Barnum	Mr. Hicks	Mr. Speaker
Mr. Cadwell	Mr. Hough	Mr. Stetson
Mr. Carr	Mr. Jackson	Mr. Stevens
Mr. A. Clark	Mr. Kent	Mr. C. Strong
Mr. J. Clark	Mr. King	Mr. Thorn
Mr. Clinch	Mr. J. W. Lewis	Mr. Tomlinson
Mr. Conkline	Mr. Lockwood	Mr. Van Bergen
Mr. Craip	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Mallory	Mr. Warren
Mr. Crosby	Mr. M'Kie	Mr. Wetmore
Mr. Crowell	Mr. Murphy	Mr. Wheeler
Mr. Cuykendall	Mr. Ogden	Mr. Wilkinson
Mr. Davis	Mr. Ostrom	Mr. Williams
Mr. Dayan	Mr. P. W. Paddock	Mr. Woodbury
Mr. Eldred	Mr. W. S. Paddock	Mr. Wylie
Mr. Farwell		

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## Those who voted in the affirmative are

Mr. Bennet	Mr. Hiller	Mr. Plumb
Mr. Blatchly	Mr. Hillyer	Mr. Preston
Mr. G. Brown	Mr. Horton	Mr. Richmond
Mr. Burke	Mr. Hutchinson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Coe	Mr. Judd	Mr. E. Strong
		Mr. Suffern
	ston	Mr. Tillinghast
	er	Mr. Tyrrel
	ey	Mr. Waldron
	son	Mr. Wilcoxson
		Mr. Woodward

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d bill; and the question being put  
to its final passage, it was deter-

3 63 }  
{ NAYS 42 }

The ayes and nays being required by ten members,

## Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Baker	Mr. Hall	Mr. Powers
Mr. Brasher	Mr. A. Hascall	Mr. Quackenboss
Mr. Brooks	Mr. Healy	Mr. Roosevelt
Mr. A. Brown	Mr. Hendee	Mr. Seger
Mr. Burhans	Mr. Herttell	Mr. Shepard
Mr. Burke	Mr. Hicks	Mr. D. Sibley
Mr. Barnum	Mr. Hough	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. C. Strong
Mr. Clinch	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tomlinson
Mr. Crain	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Mallory	Mr. Warren
Mr. Crosby	Mr. M'Cleer	Mr. Wetmore
Mr. Crowell	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodward
Mr. Farwell	Mr. W. S. Paddock	Mr. Wylie

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## Those who voted in the negative are

Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Benjamin	Mr. J. Haskell	Mr. Plumb
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Stetson
Mr. Cash	Mr. Hutchinson	Mr. Stevens
Mr. J. Clark	Mr. Jackson	Mr. E. Strong
Mr. Conklin	Mr. Jones	Mr. Suffern
Mr. Cuykendall	Mr. Krum	Mr. Thorn
Mr. Denaiston	Mr. T. Lewis	Mr. Tyrrel
Mr. Finch	Mr. Livingston	Mr. Van Bergen
Mr. Gray	Mr. M'Kie	Mr. Waldron
Mr. Griswold	Mr. Moseley	Mr. Wilcoxson
Mr. Groom	Mr. Phillips	Mr. Wilkinson

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*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

A communication from the Surveyor-General was received and read, in the words following, to wit:

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

The Surveyor-General, to whom was referred the petition of Daniel T. and Thomas W. Newcomb, respectfully reports:

[See Document No. 257.]

*Ordered*, That the said report be referred to the committee on public lands.

Mr. Plumb gave notice that he would, on some future day, ask leave to introduce a bill for the survey of a canal route from the Erie canal at Buffalo, through the valley of the Connewango creek, to the Allegany river.

On motion of Mr. Patterson,

*Resolved*, That the committee on canals and internal improvements be discharged from the further consideration of the several petitions for a canal from Rochester to Olean, and that the petitioners have leave to withdraw their petitions.

*Ordered*, That Mr. Rice have leave of absence for two weeks.

And then the House adjourned until ten o'clock to-morrow morning.

## FRIDAY, MARCH 6, 1835.

The House met pursuant to adjournment.

The petition of school district number thirteen in the town of Newburgh in the county of Orange, praying for authority to establish a separate school for colored children, was read, and referred to the committee on colleges, academies and common schools.

Two several petitions of sundry inhabitants of the counties of Orange and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the Albany Burgesses Corps of the city of Albany, praying for an act of incorporation, was read, and referred to the committee on the militia and public defence.

The petition of the trustees of Montgomery Academy in the county of Orange, for an amendment of the law concerning said academy, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the counties of Westchester, Putnam and Dutchess, praying for aid from the State to repair a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located in the village of Le Roy in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the village of Montgomery in the county of Orange, praying for an amendment of their char-

ter, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Seneca, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the town of Nelson in the county of Madison, against annexing a part of the town of Sullivan in said county, to the county of Onondaga, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Chautauque, praying for the passage of a law authorising the appointment of a Supreme Court commissioner, to reside at Fredonia in said county, was read, and referred to the committee on the judiciary.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of Adna H. Southwick and others of the county of Ulster, praying for the passage of an act incorporating a manufacturing company in said county, reported a bill, entitled "An act to incorporate the Napanock company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of Elkanah Watson and others, praying for the passage of an act incorporating a cotton manufacturing company, to be located on the Au Sable river between the villages of Keeseville and Birmingham, reported a bill, entitled "An act to incorporate the Manchester cotton manufacturing company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Griswold, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Catlin in the county of Tioga, praying for a division of said town, reported a bill, entitled "An act to divide the town of Catlin in the county of Tioga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Griswold, from the select committee to which was referred the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Van Bergen, from the select committee to which was referred the bill entitled "An act to amend and extend the charter of the Cairo bridge company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the re-

**MONDAY, MARCH 2, 1835.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the county of Queens, praying for permission to lay out a road from the Flushing turnpike to the ferry at Hallett's cove, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the town of Flushing, praying for the passage of an act authorising a restriction of the grant authorising Elijah Peck to erect a dock on Flushing creek in said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry officers of the militia of the city of New-York, praying for an amendment of the military law, was read, and referred to the committee on the militia and public defence.

The petition of sundry inhabitants of the county of Steuben, praying for an amendment of the act abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construe a rail-road from Syracuse to Rochester, were read, and referred to the committee on rail-roads.

The memorial of the common council of the city of New-York, in favor of the construction of a ship canal from Oswego to Utica, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the counties of Chenango and Broome, praying for aid in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Madison, against the construction of the reservoirs in said county for the Chenango canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry dealers in lumber in the city of New-York, against the appointment of an additional inspector of lumber in said city, was read, and referred to the select committee on that subject, of which Mr. Ringgold is chairman.

The remonstrance of sundry auctioneers of the city of New-York, against the act to amend the auction law, was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the counties of Saratoga, Washington, Warren, Essex and Clinton, praying for the incorporation of the Lake Champlain Steam Tow-Boat Company, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of the Wool-Growers' Bank, to be located at Norwich in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for improving certain roads through the Indian reservation, reported a bill, entitled "An act to amend an act entitled 'An act authorising money to be raised by tax in certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Livingston, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge across the Genesee river between the towns of Genesee and York, and also a remonstrance against the same, reported; and asked leave to introduce a bill.

[See Document No. 242.]

*Ordered,* That leave be given to bring in such bill.

Mr. Anthony, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Livingston to raise money to build a bridge in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees and inhabitants of the village of Syracuse, for an act to amend the charter of said village, reported a bill, entitled "An act to amend the several acts relative to the charter of the village of Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of a law to vest certain lands in the city of New-York, in the mayor, aldermen and commonalty of said city, reported; and asked leave to introduce a bill.

[See Document No. 251.]

*Ordered*, That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act to vest certain lands, tenements and hereditaments, in the mayor, aldermen and commonalty of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to define the powers and regulate the proceedings of rail-road incorporations," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered*, That the said report be laid upon the table.

*Ordered*, That the usual number of copies of the said bill be printed for the use of the Legislature.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act extending the time for the collection of taxes in the city of Albany."

W. L. MARCY.

*Albany, February 28, 1835.*

In pursuance of previous notice, Mr. M'Neil asked for and obtained leave to bring in a bill, entitled "An act to revive the act entitled 'An act to vest certain powers in the freeholders and inhabitants in the village of Lewiston;'" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of W. H. Fairservice, praying remuneration for labor alleged to have been performed for the State; and that the same be referred to the Canal Commissioners.

In pursuance of previous notice, Mr. Brasher asked for and obtained leave to bring in a bill, entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.



**Ordered,** That the usual number of copies of the said bill be printed for the use of the Legislature.

In pursuance of previous notice, Mr. A. Hascall asked for and obtained leave to bring in a bill, entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Tomlinson,

**Resolved,** That the Comptroller furnish this House with a statement of all the sales of land for taxes, under and by virtue of the several acts for the assessment and collection of taxes, (not heretofore reported;) also the sales of land for arrears of quit rent in 1826, as far forth as the same have been sold and not redeemed; the town, county and tract where situated; describing the lot and number of acres sold, the amount for which the same was sold, and the name of the purchaser or purchasers.

On motion of Mr. Patterson,

**Resolved,** That the committee on colleges, academies and common schools, be instructed to inquire into the expediency of so amending the law in relation to common schools, as to provide for the payment of the school bills of indigent persons, by a tax on the taxable property in the respective districts, in place of the manner now provided by law.

On motion of Mr. Clinch,

**Resolved,** That the select committee to which was referred the memorial of the supervisors of the city and county of New-York, for a repeal of the law exempting from taxation unproductive capital of incorporated companies, be discharged from the further consideration of the same, and that it be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. M. H. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Debates were had thereon; and while the same was under consideration, the House adjourned till ten o'clock to-morrow morning.

**TUESDAY, MARCH 3, 1835.**

**The House met pursuant to adjournment.**

**The remonstrance of sundry inhabitants of the town of Niagara in the county of Niagara, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.**

**The petition of sundry mechanics and others of the village of Seneca-Falls, against the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.**

**The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Auburn to Rochester, by way of Canandaigua and Minden, was read, and committed to the committee of the whole when on the bill upon that subject.**

**The remonstrance of sundry inhabitants of the county of Livingston, against the raising of money by tax on said county, to build a bridge across the Genesee river, was read, and committed to a committee of the whole when on the bill upon that subject.**

**The remonstrance of sundry inhabitants of the village of Gibbonsville in the county of Albany, against the building of a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.**

**The petition of Luther Marsh and others of the county of Onondaga, praying for the passage of an act allowing writs of error on decisions of the Supreme Court on non-enumerated motions, was read, and referred to the committee on the judiciary.**

**Two several petitions of sundry inhabitants of the counties of Orange and Kings, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.**

**The petition of sundry inhabitants of the county of Chautauque, praying for the passage of an act authorising the appointment of a Supreme Court commissioner, to reside at Fredonia, was read, and referred to the committee on the judiciary.**

**The petition of sundry dealers in hay at Hudson in the county of Columbia, praying for relief in regard to the inspection of pressed hay in the city of New-York, was read, and referred to the select committee on that subject, of which Mr. Van Bergen is chairman.**

**Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of Henry N. Van Patten of the town of Rotterdam in the county of Schenectady, praying for further compensation for damages sustained in consequence of the destruction of his well by the construction of the Erie canal, and for remuneration for building a foot bridge, reported; and offered the following resolution:**

[See Document No. 248.]

**Resolved,** That the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of sundry inhabitants of the county of Delaware, praying for the incorporation of the Delaware Literary and Religious Institute, to be located in the village of Franklin in said county, reported a bill, entitled "An act to incorporate the Delaware literary and religious institute;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Lawrence Barclay, for compensation for labor done on the Cayuga and Seneca canal, reported; and asked leave to introduce a bill.

[See Document No. 247.]

**Ordered,** That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the payment of the claims of Lawrence Barclay, for services on the Cayuga and Seneca canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, for the passage of an act repealing the law limiting the duration of the ordinances of the common council of said city, reported; and asked leave to introduce a bill.

[See Document No. 258.]

**Ordered,** That leave be given to bring in such bill.

Mr. Ringgold, according to leave, brought in the said bill, entitled "An act relative to the laws and ordinances of the common council of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. T. Lewis, from the select committee to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for the purpose of repairing certain bridges therein, reported a bill, entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from John Walworth, assistant register in chancery, was received and read.

[See Document No. 246.]

*Ordered*, That the said communication be laid upon the table.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, pursuant to the directions of the act authorising the survey of a canal route from Rochester to Olean, respectfully report:

[See Document No. 264.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That Mr. Beecher have leave of absence for four days, and Mr. Shafer for eight days.

*Ordered*, That the committee on claims be discharged from the consideration of the petition of E. Smith Sweet, and that the same be referred to the Attorney-General.

The House then proceeded to the consideration of the resolution of yesterday offered by Mr. M. H. Sibley; the same was again read, in the words following, to wit:

*Resolved*, That the House now proceed to consider an article published in the State paper of this day, headed "The Bank investigation and the Bank attorney," with a view to determine whether any action of this House is proper in relation thereto.

Thereupon,

Mr. Wager made a motion that the House should agree to amend the said resolution, by striking out all after the word "Resolved," and insert "That no action of this House is called for in relation to the publication in the Albany Argus of yesterday, under the head of "The Bank investigation and the Bank attorney," to the attention of the House was directed by the Hon. M. H. , a member from the county of Ontario."

Patterson made a motion that the House should agree to the amendment to the said resolution, by inserting in lieu of the following: "That the conduct of the printer to this , in publishing in the Albany Argus, with the apparent design of impugning the motives and conduct of a member of this , a part of the answer of the cashier of the Bank of Ontario, to one of the interrogatories propounded to him by order of this House, when the whole of such answer was material to the proper understanding of the part so published, was improper and reprehensible."

Debates were had upon the said amendment of Mr. Patterson; and the question being put whether the House would agree thereto, it was determined in the negative.

{ NAYS 72 }  
{ AYES 25 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Anthony	Mr. Fisher	Mr. P. W. Paddock
Mr. Baker	Mr. Gray	Mr. Phillips
Mr. Barnes	Mr. Griswold	Mr. Preston
Mr. Bennet	Mr. Groom	Mr. Quackenboss
Mr. Brooks	Mr. Harvey	Mr. Ringgold
Mr. Burhans	Mr. Healy	Mr. Roosevelt
Mr. Barnum	Mr. Hicks	Mr. Shepard
Mr. Cadwell	Mr. Hiller	Mr. Speaker
Mr. Carr	Mr. Hough	Mr. Springer
Mr. Cash	Mr. Ingersoll	Mr. Stetson
Mr. A. Clark	Mr. Jackson	Mr. Stevens
Mr. J. Clark	Mr. Jones	Mr. Thorn
Mr. Clinch	Mr. Judd	Mr. Tillinghast
Mr. Coe	Mr. Kent	Mr. Van Benthuisen
Mr. Conklin	Mr. King	Mr. Wager
Mr. Crain	Mr. Krum	Mr. Waldron
Mr. Crary	Mr. J. W. Lewis	Mr. Warren
Mr. Crosby	Mr. Livingston	Mr. Wetmore
Mr. Crowell	Mr. Lockwood	Mr. Wheeler
Mr. Cuykendall	Mr. Loomis	Mr. Wilcoxson
Mr. Davis	Mr. Mallory	Mr. Wilkinson
Mr. Dayan	Mr. Murphy	Mr. Williams
Mr. Eldred	Mr. Ogden	Mr. Woodbury
Mr. Finch	Mr. Ostrom	Mr. Wylie

Those who voted in the affirmative are

Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. C. Strong
Mr. A. Hascall	Mr. M'Kie	Mr. E. Strong
Mr. J. Haskell	Mr. M'Neil	Mr. Tomlinson
Mr. Hendee	Mr. Moseley	Mr. Tyrrel
Mr. Hildreth	Mr. Patterson	Mr. Woodward
Mr. Hillyer		

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Debates were thereupon had upon the said amendment of Mr. Wager; and the question being put whether the House would agree thereto, it was determined in the affirmative.

{ AYES 84 }  
{ NAYS 12 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Barnes	Mr. A. Hascall	Mr. Preston
Mr. Bennet	Mr. Healy	Mr. Quackenboss
Mr. Brooks	Mr. Hendee	Mr. Ringgold
Mr. A. Brown	Mr. Hicks	Mr. Roosevelt
Mr. Burhans	Mr. Hiller	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. Speaker
Mr. Carr	Mr. Ingersoll	Mr. Springer
Mr. Cash	Mr. Jackson	Mr. Stetson
Mr. A. Clark	Mr. Jones	Mr. Stevens
Mr. J. Clark	Mr. Judd	Mr. C. Strong
Mr. Clinch	Mr. Kent	Mr. E. Strong
Mr. Coe	Mr. King	Mr. Thorn
Mr. Conklin	Mr. Krum	Mr. Tillinghast
Mr. Crain	Mr. J. W. Lewis	Mr. Van Benthuisen
Mr. Crary	Mr. T. Lewis	Mr. Wager
Mr. Crosby	Mr. Livingston	Mr. Waldron
Mr. Crowell	Mr. Lockwood	Mr. Warren
Mr. Cuykendall	Mr. Loomis	Mr. Wetmore
Mr. Davis	Mr. Mallory	Mr. Wheeler
Mr. Dayan	Mr. M'Cluer	Mr. Wilcoxson
Mr. Eldred	Mr. Moseley	Mr. Wilkinson
Mr. Finch	Mr. Murphy	Mr. Williams
Mr. Fisher	Mr. Ogden	Mr. Woodbury
Mr. Gray	Mr. Ostrom	Mr. Woodward
Mr. Griswold	Mr. P. W. Paddock	Mr. Wylie

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Those who voted in the negative are

Mr. G. Brown	Mr. Horton	Mr. D. Sibley
Mr. Burr	Mr. M'Kie	Mr. Simmons
Mr. J. Haskell	Mr. M'Neil	Mr. Tomlinson
Mr. Hildreth	Mr. Richmond	Mr. Tyrrel

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Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

And then the House adjourned until ten o'clock to-morrow morning.

**WEDNESDAY, MARCH 4, 1895.**

**The House met pursuant to adjournment.**

The petition of three thousand four hundred and seventy-nine citizens residing in the upper wards of the city of New-York, praying for the establishment of additional ferries between that city and Long Island, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Otsego, praying for relief from offensive practices by manufacturing incorporations, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Monroe, praying for the incorporation of a company to construct a rail-road from Syracuse to Rochester, was read, and referred to the committee on rail-roads.

The petition of Bernardus Swartwout of the county of Saratoga, praying for the passage of an act authorising the Canal Commissioners to lease the surplus waters of the Glen's falls feeder, was read, and referred to the Canal Commissioners.

The petition of sundry inhabitants of the city of Troy, for a rail-road from said city to West-Stockbridge, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the village of West-Troy in the county of Albany, against the building of a bridge across the Hudson river opposite the city of Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Brasher, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising Hezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Isaac Satterly, asking for a grant of bounty lands to the heirs of Henry Satterly, for his services in the war of the revolution, reported; and asked leave to introduce a bill.

**[ See Document No. 253. ]**

**Ordered,** That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act to satisfy the claim of the heirs of Henry Satterly, a soldier of the revolution, to bounty lands;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Mr. Hicks**, from the select committee to which was referred the petition of sundry inhabitants of the county of Warren, for an act authorising the supervisors of said county to raise money by tax, for repairing their clerk's office, reported; and asked leave to introduce a bill.

[See Document No. 256.]

*Ordered*, That leave be given to bring in such bill.

**Mr. Hicks**, according to leave, brought in the said bill, entitled "An act to provide for repairing the clerk's office in the county of Warren;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Senate was read, informing that they have receded from their amendment, non-concurred in by this House, to the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have concurred with this House in its amendment to the bill entitled "An act authorising the Phoenix cotton manufactory to continue a dam across the Susquehannah river," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have rejected the bill entitled "An act for the relief of Samuel S. Lush."

On motion of **Mr. Wilkinson**,

*Resolved*, That the several petitions, private statements and certificates of sundry individuals, relative to the incorporation of a bank, to be located in the village of Kinderhook, presented to the last Legislature, and now on file in this House, be referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

On motion of **Mr. Wilcoxson**,

*Resolved*, That the bill entitled "An act to divide the town of Manlius in the county of Onondaga," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That **Mr. Wilkinson**, **Mr. Ogden** and **Mr. Wager**, be the said committee.

**Mr. Cuykendall** gave notice that he would, on some future day, ask leave to introduce a bill to amend the act entitled "Of courts held by justices of the peace."

**Mr. Livingston** gave notice that he would hereafter ask leave to introduce a bill to repeal the "Act concerning the court for the correction of errors," passed April 26th, 1832.

*Ordered*, That the committee on grievances be discharged from the consideration of the petition of sundry inhabitants of the county of Yates, praying relief from the injurious effects of the canal upon



the hydraulic works on the outlet of the Crooked lake, and that the same be referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

On motion of Mr. Wager,

*Resolved*, That the proceedings of a public meeting held at Utica, February 5th, 1835, to take measures to effect the construction of a ship canal between Lake Ontario and the Hudson river, together with the report and estimate of E. F. Johnson, be referred to the Canal Board, for their opinion thereon.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the construction of the Black river canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Clinch, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to increase the salaries of the chancellor, justices of the supreme court, and circuit judges."

W. L. MARCY.

*Albany, March 4, 1835.*

The House then resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

**THURSDAY, MARCH 5, 1835.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the county of Suffolk, praying for the incorporation of a company to construct a wharf at Oysterpond village in said county, was read, and referred to a select committee, consisting of Mr. Conklin, Mr. Phillips and Mr. Jackson.

Two several petitions of sundry inhabitants of the counties of Chenango, Broome and Tioga, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of James E. De Kay and Daniel Fleet of the county of Queens, praying for the passage of an act permitting them to build a wharf adjacent to their lands in the town of Oysterbay in said county, was read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Conklin.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Lockport to Rochester, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Niagara, praying for the passage of an act authorising the laying out of a road from the village of Niagara to the Niagara river, together with a remonstrance against the same, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Monroe and Genesee, praying for the incorporation of a company to construct a M'Adam road from Le Roy in the county of Genesee, to the village of Brockport in the county of Monroe, reported a bill, entitled "An act to incorporate the Le Roy and Brockport M'Adam road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hough, from the committee on grievances, to which was referred the petition of James F. Bradt of the town of Rotterdam in the county of Schenectady, praying for damages for the destruction of his well by the water of the Erie canal, reported; and recommended that the prayer of the petitioner be denied.

*[See Document No. 250.]*

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Orleans, praying for the passage of an act authorising the supervisors to raise money to build a bridge across Oak-orchard creek in said county, reported a bill, entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred so much of the message of the Governor as relates to the enlargement of the Erie canal, and the report of the Canal Commissioners on the same subject, reported; and asked leave to introduce a bill.

[See Document No. 254.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wager, according to leave, brought in the said bill, entitled "An act in relation to the Erie canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Stetson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act authorising George Ohl to change his name;" the bill entitled "An act concerning the granting of licenses;" the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834;" the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company;" the bill entitled "An act to amend an act to incorporate the Oneida lake canal company;" the bill entitled "An act to amend and extend the charter of the Cairo bridge company;" the bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer;" the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property;'" and the bill entitled "An act in relation to district school-houses."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act authorising George Ohl to change his name," be referred to a select committee, consisting of Mr. Rice, Mr. Hicks and Mr.

Healy; that the bill entitled "An act concerning the granting of licenses," be referred to a select committee, consisting of Mr. Wilkinson, Mr. Ringgold and Mr. Tomlinson; that the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834," be referred to a select committee, consisting of Mr. Baker, Mr. Burr and Mr. Burke; that the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," be referred to a select committee, consisting of Mr. Van Benthuysen, Mr. Horton and Mr. Griswold; that the bill entitled "An act to amend an act to incorporate the Oneida lake canal company," be referred to a select committee, consisting of Mr. Wager, Mr. D. Sibley and Mr. Brooks; that the bill entitled "An act to amend and extend the charter of the Cairo bridge company," be referred to a select committee, consisting of Mr. Van Bergen, Mr. Wilkinson and Mr. Crosby; that the bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer," be referred to a select committee, consisting of Mr. Springer, Mr. A. Hascall and Mr. Livingston; that the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,'" be referred to a select committee, consisting of Mr. Dayan, Mr. Roosevelt and Mr. Wager; and that the bill entitled "An act in relation to district school-houses," be referred to a select committee, consisting of Mr. King, Mr. Burhans and Mr. Loomis, to be by the said committees severally reported complete.

Mr. Moseley, from the committee on Indian affairs, to which was referred the petition of John Hill, Jenny Hill and Anthony Otsequette, for the payment of the principal sums for which annuities are now paid them by the State, reported; and asked leave to introduce a bill.

[See Document No. 259.]

*Ordered*, That leave be given to bring in such bill.

Mr. Moseley, according to leave, brought in the said bill, entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Angelica in the county of Allegany, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Angelica;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to divide the town of Manlius in the county

of Onondaga," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in this place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Brasher, from the select committee to which was referred the petition of John G. Hicks, John Schenck and Jane B. Smith of the city of Brooklyn, praying for a grant of certain land under water, and adjoining their premises in said city, reported; and asked leave to introduce a bill.

[See Document No. 252.]

*Ordered*, That leave be given to bring in such bill.

Mr. Brasher, according to leave, brought in the said bill, entitled "An act granting to John G. Hicks, John Schenck and Jane B. Smith, certain land under water in the East river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the select committee to which was referred the petition of the commissioners appointed to superintend the erection of a court-house and jail in the county of Yates, reported; and asked leave to introduce a bill.

[See Document No. 255.]

*Ordered*, That leave be given to bring in such bill.

Mr. Crain, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money, to complete the court-house and jail, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the construction of the Black river canal," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

Mr. Richmond made a motion that the House should agree to lay the said bill upon the table.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Richmond, it was determined in the negative.

{ NAYS 67 }  
{ AYES 37 }

The ayes and nays being required by ten members,

## Those who voted in the negative are

Mr. Adams	Mr. Fisher	Mr. Phillips
Mr. Anthony	Mr. Gray	Mr. Powers
Mr. Baker	Mr. Hall	Mr. Quackenboss
Mr. Brasher	Mr. A. Hascall	Mr. Roosevelt
Mr. Brooks	Mr. J. Haskell	Mr. Seger
Mr. A. Brown	Mr. Healy	Mr. Shepard
Mr. Burhans	Mr. Herttell	Mr. Simmons
Mr. Barnum	Mr. Hicks	Mr. Speaker
Mr. Cadwell	Mr. Hough	Mr. Stetson
Mr. Carr	Mr. Jackson	Mr. Stevens
Mr. A. Clark	Mr. Kent	Mr. C. Strong
Mr. J. Clark	Mr. King	Mr. Thorn
Mr. Clinch	Mr. J. W. Lewis	Mr. Tomlinson
Mr. Conkling	Mr. Lockwood	Mr. Van Bergen
Mr. Craip	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Mallory	Mr. Warren
Mr. Crosby	Mr. M'Kie	Mr. Wetmore
Mr. Crowell	Mr. Murphy	Mr. Wheeler
Mr. Cuykendall	Mr. Ogden	Mr. Wilkinson
Mr. Davis	Mr. Ostrom	Mr. Williams
Mr. Dayan	Mr. P. W. Paddock	Mr. Woodbury
Mr. Eldred	Mr. W. S. Paddock	Mr. Wylie
Mr. Farwell		

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## Those who voted in the affirmative are

Mr. Bennet	Mr. Hiller	Mr. Plumb
Mr. Blatchly	Mr. Hillyer	Mr. Preston
Mr. G. Brown	Mr. Horton	Mr. Richmond
Mr. Burke	Mr. Hutchinson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Coe	Mr. Judd	Mr. E. Strong
		Mr. Suffern
	ston	Mr. Tillinghast
	er	Mr. Tyrrel
	ey	Mr. Waldron
	son	Mr. Wilcoxson
		Mr. Woodward

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id bill; and the question being put  
to its final passage, it was deter-

S 63 )  
( NAYS 42 }

The ayes and nays being required by ten members,

## Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Baker	Mr. Hall	Mr. Powers
Mr. Brasher	Mr. A. Hascall	Mr. Quackenboss
Mr. Brooks	Mr. Healy	Mr. Roosevelt
Mr. A. Brown	Mr. Hendee	Mr. Seger
Mr. Burhans	Mr. Herttell	Mr. Shepard
Mr. Burke	Mr. Hicks	Mr. D. Sibley
Mr. Barnum	Mr. Hough	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. C. Strong
Mr. Clinch	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tomlinson
Mr. Crain	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Mallory	Mr. Warren
Mr. Crosby	Mr. M'Cluer	Mr. Wetmore
Mr. Crowell	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodward
Mr. Farwell	Mr. W. S. Paddock	Mr. Wylie

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## Those who voted in the negative are

Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Benjamin	Mr. J. Haskell	Mr. Plumb
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Stetson
Mr. Cash	Mr. Hutchinson	Mr. Stevens
Mr. J. Clark	Mr. Jackson	Mr. E. Strong
Mr. Conklin	Mr. Jones	Mr. Suffern
Mr. Cuykendall	Mr. Krum	Mr. Thorn
Mr. Denniston	Mr. T. Lewis	Mr. Tyrrel
Mr. Finch	Mr. Livingston	Mr. Van Bergen
Mr. Gray	Mr. M'Kie	Mr. Waldron
Mr. Griswold	Mr. Moseley	Mr. Wilcoxson
Mr. Groom	Mr. Phillips	Mr. Wilkinson

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*Ordered,* That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

A communication from the Surveyor-General was received and read, in the words following, to wit:

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

The Surveyor-General, to whom was referred the petition of Daniel T. and Thomas W. Newcomb, respectfully reports:

[See Document No. 257.]

**Ordered,** That the said report be referred to the committee on public lands.

Mr. Plumb gave notice that he would, on some future day, ask leave to introduce a bill for the survey of a canal route from the Erie canal at Buffalo, through the valley of the Connewango creek, to the Allegany river.

On motion of Mr. Patterson,

**Resolved,** That the committee on canals and internal improvements be discharged from the further consideration of the several petitions for a canal from Rochester to Olean, and that the petitioners have leave to withdraw their petitions.

**Ordered,** That Mr. Rice have leave of absence for two weeks.

And then the House adjourned until ten o'clock to-morrow morning.

## FRIDAY, MARCH 6, 1835.

The House met pursuant to adjournment.

The petition of school district number thirteen in the town of Newburgh in the county of Orange, praying for authority to establish a separate school for colored children, was read, and referred to the committee on colleges, academies and common schools.

Two several petitions of sundry inhabitants of the counties of Orange and Steuben, praying the aid of the State in the construction of the New-York and Erie rail-road, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the Albany Burgesses Corps of the city of Albany, praying for an act of incorporation, was read, and referred to the committee on the militia and public defence.

The petition of the trustees of Montgomery Academy in the county of Orange, for an amendment of the law concerning said academy, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the counties of Westchester, Putnam and Dutchess, praying for aid from the State to repair a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located in the village of Le Roy in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the village of Montgomery in the county of Orange, praying for an amendment of their char-



ter, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the county of Seneca, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the town of Nelson in the county of Madison, against annexing a part of the town of Sullivan in said county, to the county of Onondaga, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Chautauque, praying for the passage of a law authorising the appointment of a Supreme Court commissioner, to reside at Fredonia in said county, was read, and referred to the committee on the judiciary.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of Adna H. Southwick and others of the county of Ulster, praying for the passage of an act incorporating a manufacturing company in said county, reported a bill, entitled "An act to incorporate the Napanock company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of Elkanah Watson and others, praying for the passage of an act incorporating a cotton manufacturing company, to be located on the Au Sable river between the villages of Keeseville and Birmingham, reported a bill, entitled "An act to incorporate the Manchester cotton manufacturing company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Griswold, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Catlin in the county of Tioga, praying for a division of said town, reported a bill, entitled "An act to divide the town of Catlin in the county of Tioga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Griswold, from the select committee to which was referred the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Van Bergen, from the select committee to which was referred the bill entitled "An act to amend and extend the charter of the Cairo bridge company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the re-

port in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Springer, from the select committee to which was referred the bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Hicks, from the select committee to which was referred the bill entitled "An act authorising George Ohl to change his name," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Roosevelt, from the select committee to which was referred the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

On motion of Mr. Burhans,

*Resolved*, That the Clerk of this House procure for the use of each of its members and officers, one copy of Williams' New-York Annual Register for 1835, and pay for the same out of the contingent fund of this House.

On motion of Mr. Wetmore,

*Resolved*, That the committee on trade and manufactures be instructed to report to this House, if any and what further legislation is necessary to give efficiency to the laws relating to the inspection of distilled spirits in the city of New-York.

Mr. Springer gave notice that he would, on some future day, ask leave to introduce a bill in relation to the measurement and inspection of lumber.

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act repealing an act concerning the court for the correction of errors, passed April 26, 1832;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Cuykendall asked for and obtained leave to bring in a bill, entitled "An act to amend the act entitled 'Of courts held by justices of the peace;'" which was

read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Plumb asked for and obtained leave to bring in a bill, entitled "An act authorising the survey of a canal route from the Erie canal at Buffalo, to the Allegany river;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals and internal improvements.

In pursuance of previous notice, Mr. Tomlinson asked for and obtained leave to bring in a bill, entitled "An act relative to a fire-proof clerk's office in the county of Essex;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Senate was read, informing that they have passed the resolution of this House, amending the Constitution relative to salt and auction duties, without amendment.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said towns," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Peaconic navigation company," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered,* That the same be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act for the relief of William M. Ireland;" a bill entitled "An act to continue the charter of the Franklin fire insurance company;" a bill entitled "An act for the relief of Alexander Thney;" a bill entitled "An act for the support of the government of this State;" a bill entitled "An act to change the title of the Presbyterian church in Cedar-street in the city of New-York;" a bill entitled "An act for the appointment of commissioners to perform certain duties in the city of Brooklyn;" and a bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1833."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act for the relief of William M. Ireland," was referred to the committee on claims; the bill entitled "An act to continue the charter of the Franklin fire insurance company," was referred to

the committee on the incorporation and alteration of the charters of banking and insurance companies; the bill entitled "An act for the relief of Alexander Thney," was referred to the committee on claims; the bill entitled "An act for the support of the government of this State," was referred to the committee on ways and means; the bill entitled "An act to change the title of the Presbyterian church in Cedar-street in the city of New-York," was referred to the committee on the incorporation of charitable and religious societies; the bill entitled "An act for the appointment of commissioners to perform certain duties in the city of Brooklyn," was referred to a select committee, consisting of Mr. Brasher, Mr. Wetmore and Mr. Wager; and the bill entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1883," was referred to the committee on the incorporation and alteration of the charters of banking and insurance companies, severally to consider and report thereon.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, That the following amendment to the Constitution of this State be proposed, and referred to the Legislature next to be chosen: and that the Secretary of State cause the same to be published in one newspaper in each of the counties of this State, if there be one printed therein, for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the said Constitution:

"When a sufficient sum shall have been collected from the revenues of the Canal fund for the payment of the interest, and the reimbursement of the principal sums borrowed for making the navigable communications between the great western and northern lakes and the Atlantic ocean, so much of the tenth section of the seventh article of the Constitution of this State, as relates to the rates of toll to be levied and collected on the said navigable communications, and the appropriation of the revenues of the Canal fund shall cease and determine; and the tolls and revenue thereafter arising from said Canal fund, together with the other revenues of the State, shall constitute the General fund, to be appropriated in such manner as the Legislature shall direct."

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Roosevelt,

*Resolved*, That the proposed amendment of the Constitution, in relation to the salt and auction duties, having received the constitutional sanction of two successive Legislatures, be referred to a select committee, with instructions to prepare and report a bill to submit the same to the people of this State at the next general election.

Thereupon,

*Ordered*, That Mr. Roosevelt, Mr. Wilkinson and Mr. Cash, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York,

through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to divide the town of Manlius in the county of Onondaga," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

And then the House adjourned until ten o'clock, to-morrow morning.

## SATURDAY, MARCH 7, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Dutchess, praying for the incorporation of the Fishkill Education Society, was read, and referred to a select committee, consisting of Mr. Anthony, Mr. Judd and Mr. Barnes.

The proceedings of a public meeting of sundry inhabitants of the town of Spafford in the county of Onondaga, against a division of said town, were read, and referred to the committee on the erection and division of towns and counties.

Three several remonstrances of sundry inhabitants of the county of Orleans, against the passage of an act authorising the supervisors of said county to raise money by tax, for the purpose of constructing a road across Tonawanda swamp, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Three several petitions of sundry inhabitants of the county of Dutchess, praying for a repeal of the law of last session, prohibiting botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of fifteen thousand mechanics and others of the city and county of New-York, against the employment of the convicts in the State prisons at mechanical business, was read, and referred to the select committee on so much of the message of the Governor as relates to that subject.

Four several remonstrances of sundry inhabitants of the towns of Sullivan, Fenner and Hamilton in the county of Madison, against the annexing of a part of the town of Sullivan to the county of Onondaga, were read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the town of Salina in the county of Onondaga, praying for the passage of an act authorising

the appointment of a Supreme Court commissioner, to reside at Syracuse, was read, and referred to the committee on the judiciary.

The petition of the Albany and Greene County Turnpike Company, praying for an amendment of their charter, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Delaware and Orange, praying for aid in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Tioga, wardens and vestrymen of St. John's church, praying for the passage of an act authorising them to sell the property belonging to said church, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Livingston, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge over the Canasara creek in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Saratoga, Hamilton and Montgomery, praying for the passage of an act authorising the survey of a canal route from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

The petition of Isaac Lagrange of the county of Albany, an alien, praying for the passage of an act authorising him to take, hold and convey real estate, was read, and referred to the committee on the petitions of aliens.

The petition of Samuel King of the county of Cayuga, an alien, praying for the passage of an act authorising him to take, hold and convey real estate, was read, and referred to the committee on the petitions of aliens.

The remonstrance of sundry inhabitants of the town of Lansingburgh in the county of Rensselaer, against the building of a bridge across the Hudson river, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the upper wards of the city of New-York, praying for the establishment of additional ferries between said city and Long Island, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Jefferson, praying for an extension of the time allowed them to complete a certain road in said county, authorised by an act passed April 19th, 1834, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Westchester and Putnam, praying for the incorporation of a fire insurance



company, to be located at Peekskill, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry dealers in flour in the city of New-York, praying for an alteration of the law respecting the inspection of flour in said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of St. Lawrence, praying that the name of the town of Hermon in said county, may be changed to De Grasse, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the city of New-York, against the passage of any law creating monopolies, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

The petition of Herman Bogert of the county of Ontario, praying for remuneration for damages alleged to have been sustained by the construction of the Crooked lake canal, was read, and referred to the committee on grievances.

The petition of sundry inhabitants of the city of New-York, praying for the passage of an act authorising the appointment of commissioners to examine into the state of the public schools in said city, was read, and referred to the committee on colleges, academies and common schools.

Mr. Moseley, from the committee on Indian affairs, to which was referred the petition of certain members of the First Christian Party of the Oneida Indians, praying for additional remuneration for their lands sold the State in October, 1829, reported; and asked leave to introduce a bill.

[See Document No. 260.]

*Ordered*, That leave be given to bring in such bill.

Mr. Moseley, according to leave, brought in the said bill, entitled "An act for the relief of the First Christian party of the Oneida Indians;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burke, from the majority of the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of an academy in the village of Manlius in said county, reported a bill, entitled "An act to incorporate the Manlius academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was

referred the petition of sundry inhabitants of the town of Stafford and its vicinity in the county of Genesee, praying for the incorporation of a company to construct a rail-road from the village of Stafford in said town, to intersect the Tonawanda rail-road, reported a bill, entitled "An act to construct a rail-road in the town of Stafford in the county of Genesee;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of the president and directors of the New-York and Albany Rail-Road Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany rail-road company,' passed April 17th, 1832;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from Lockport to Batavia, reported a bill, entitled "An act to construct a rail-road from Batavia to Lockport;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burhans, from the committee on claims, to which was referred the engrossed bill from the Senate, entitled "An act for the relief of Alexander Thney," and the engrossed bill from the Senate, entitled "An act for the relief of William M. Ireland," reported, that the committee have examined the said bills, and see no reason why the same should not severally be passed into laws.

*Ordered*, That the said bills be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of S. M. Thompson and others, praying for the passage of an act to prevent the passage of burthens greater than five tons over toll-bridges, without consent of the proprietors, reported a bill, entitled "An act to regulate transportation across toll-bridges;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Cayuga and Wayne, praying for the passage of an act to repeal the act incorporating the Montezuma Turnpike and Bridge Company, and all acts amending the same, reported a bill, entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river



and marshes;") which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Clinch, from the committee on colleges, academies and common schools, to which was referred, by resolution of the twenty-eighth ultimo, the duty of inquiring into the propriety of so amending the laws of this State in relation to the distribution of the income of the Literature fund, as to require that the amount of such fund which may be apportioned to the Deaf and Dumb Institution in the city of New-York, shall be deducted from the total amount of such income, instead of the amount apportioned to the incorporated academies in the first senate district, reported; and concluded that it is inexpedient to make any change in the mode of distributing the income of said fund.

[See Document No. 263.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Jackson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools;'" the bill entitled "An act to incorporate the New-York India rubber cloth company;" the bill entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe;" the bill entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes;" the bill entitled "An act to incorporate the Erin fraternal benevolent association;" the bill entitled "An act to amend an act entitled 'An act to incorporate the Troy turnpike and rail-road company,' passed April 18th, 1831;" the bill entitled "An act to amend the charter of the village of Cazenovia;" the bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases;'" and the bill entitled "An act to incorporate the village of Clyde in the county of Wayne."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" be referred to a select committee, consisting of Mr. Clinch, Mr. King and Mr. Gray; that the bill entitled "An act to incorporate the New-York India rubber cloth company," be referred to a select committee,

consisting of Mr. Hillyer, Mr. Crosby and Mr. Conklin; that the bill entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe," be referred to a select committee, consisting of Mr. D. Sibley, Mr. A. Clark and Mr. G. Brown; that the bill entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes," be referred to a select committee, consisting of Mr. Baker, Mr. Crain and Mr. Fisher; that the bill entitled "An act to incorporate the Erin fraternal benevolent association," be referred to a select committee, consisting of Mr. Brasher, Mr. Phillips and Mr. Rice; that the bill entitled "An act to amend an act entitled 'An act to incorporate the Troy turnpike and rail-road company,' passed April 18th, 1831," be referred to a select committee, consisting of Mr. Griswold, Mr. Livingston and Mr. M'Kie; that the bill entitled "An act to amend the charter of the village of Cazenovia," be referred to a select committee, consisting of Mr. Hough, Mr. Cadwell and Mr. Powers; that the bill entitled "An act to amend part first, title first of chapter seventeen of the Revised Statutes, entitled 'Of the regulation of trade in certain cases,'" be referred to a select committee, consisting of Mr. Hall, Mr. Livingston and Mr. D. Sibley; and that the bill entitled "An act to incorporate the village of Clyde in the county of Wayne," be referred to a select committee, consisting of Mr. Wylie, Mr. Benjamin and Mr. Mallory, to be by the said committees severally reported complete.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to change the title of the Presbyterian church in Cedar-street in the city of New-York," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Davis, from the select committee to which was referred the petition of the inhabitants of the county of Ulster, praying for an act to revive the act entitled "An act to incorporate the Eddyville bridge company," passed April 22d, 1831, reported; and asked leave to introduce a bill.

[*See Document No. 261.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Davis, according to leave, brought in the said bill, entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22d, 1831;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act concerning the granting of licenses," reported, that the committee had gone through the said bill, and

agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Van Bergen, from the select committee to which was referred the petition of the farmers and packers of pressed hay, and also of the dealers and purchasers of that article in the city of New-York, reported; and asked leave to introduce a bill.

[*See Document No. 265.*]

*Ordered,* That leave be given to bring in such bill.

Mr. Van Bergen, according to leave, brought in the said bill, entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Attorney-General was received and read, in the words following, to wit:

ATTORNEY-GENERAL'S OFFICE, }  
Albany, March 6, 1835. }

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

I submit herewith a report on the petition of E. Smith Sweet, in pursuance of a reference from the Assembly.

I am, with much respect,

Your obedient servant,

GREENE C. BRONSON.

[*See Document No. 262.*]

*Ordered,* That the said report be referred to the committee on claims.

The engrossed bill entitled "An act to divide the town of Manlius in the county of Onondaga," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,'" and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act authorising George Ohl to change his name;" the engrossed bill entitled "An act to amend and extend the charter of the Cairo bridge company;" the engrossed bill entitled "An act to incorpo-

rate the Petersburg, Grafton and Brunswick turnpike company;" and the engrossed bill entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act authorising George Ohl to change his name," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to amend and extend the charter of the Cairo bridge company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 09 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Philo
Mr. Anthony	Mr. Harvey	Mr. Plumb
Mr. Baker	Mr. A. Hascall	Mr. Powers
Mr. Barnes	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Hicks	Mr. Richmond
Mr. Benjamin	Mr. Hildreth	Mr. Seger
Mr. Bennet	Mr. Hiller	Mr. Shepard
Mr. Blatchly	Mr. Hillyer	Mr. D. Sibley
Mr. Brooks	Mr. Horton	Mr. M. H. Sibley
Mr. A. Brown	Mr. Hough	Mr. Simmons
Mr. G. Brown	Mr. Hutchinson	Mr. Speaker
Mr. Burhans	Mr. Jackson	Mr. Springer
Mr. Burke	Mr. Jones	Mr. Stetson
Mr. Barnum	Mr. Judd	Mr. Stevens
Mr. Burr	Mr. Kent	Mr. C. Strong
Mr. Cash	Mr. King	Mr. Thorn
Mr. A. Clark	Mr. Krum	Mr. Tillinghast
Mr. Coe	Mr. T. Lewis	Mr. Tomlinson
Mr. Conklin	Mr. Livingston	Mr. Tyrrel
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Cluer	Mr. Wager
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Davis	Mr. Murphy	Mr. Wilcoxson
Mr. Denniston	Mr. Ogden	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. Woodward
Mr. Fisher	Mr. Peck	Mr. W. Woodworth
Mr. Griswold	Mr. Phillips	

Those who voted in the negative are

Mr. Carr	Mr. Herttel	Mr. Suffern
Mr. Clinch	Mr. Ringgold	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler

The said engrossed bill, entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Plumb
Mr. Anthony	Mr. Healy	Mr. Powers
Mr. Baker	Mr. Hendee	Mr. Preston
Mr. Barnes	Mr. Hicks	Mr. Richmond
Mr. Beecher	Mr. Hildreth	Mr. Roosevelt
Mr. Benjamin	Mr. Hiler	Mr. Seger
Mr. Bennet	Mr. Hillyer	Mr. Shepard
Mr. Blatchly	Mr. Horton	Mr. D. Sibley
Mr. Brooks	Mr. Hough	Mr. M. H. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. Simmons
Mr. G. Brown	Mr. Jackson	Mr. Speaker
Mr. Burhans	Mr. Jones	Mr. Springer
Mr. Burke	Mr. Judd	Mr. Stetson
Mr. Barnum	Mr. Kent	Mr. Stevens
Mr. Burr	Mr. King	Mr. C. Strong
Mr. Cash	Mr. Krum	Mr. E. Strong
Mr. A. Clark	Mr. T. Lewis	Mr. Suffern
Mr. Coe	Mr. Livingston	Mr. Thorn
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crain	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Cluer	Mr. Tyrrel
Mr. Crosby	Mr. M'Kie	Mr. Van Bergen
Mr. Crowell	Mr. M'Neil	Mr. Wager
Mr. Cuykendall	Mr. Moseley	Mr. Waldron
Mr. Davis	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Ogden	Mr. Wheeler
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Patterson	Mr. Williams
Mr. Fisher	Mr. Peck	Mr. Woodbury
Mr. Griswold	Mr. Phillips	Mr. Woodward
Mr. Groom	Mr. Philo	Mr. W. Woodworth
Mr. Harvey		

Those who voted in the negative are

Mr. Carr  
Mr. Clinch

Mr. J. Haskell  
Mr. Herttell

Mr. Ringgold  
Mr. Wetmore

The said engrossed bill, entitled "An act fixing the compensation to grand and petit jurors serving in courts of record in the county of Rensselaer," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Baker  
Mr. Barnes  
Mr. Beecher  
Mr. Benjamin  
Mr. Bennet  
Mr. Blatchly  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown  
Mr. Burhans  
Mr. Burke  
Mr. Barnum  
Mr. Burr  
Mr. Cash  
Mr. A. Clark  
Mr. Coe  
Mr. Conklin  
Mr. Crain  
Mr. Crary  
Mr. Crosby  
Mr. Crowell  
Mr. Davis  
Mr. Denniston  
Mr. Eldred  
Mr. Farwell  
Mr. Finch

Mr. Harvey  
Mr. A. Hascall  
Mr. Healy  
Mr. Hendee  
Mr. Hildreth  
Mr. Hiller  
Mr. Hillyer  
Mr. Horton  
Mr. Hough  
Mr. Hutchinson  
Mr. Jackson  
Mr. Jones  
Mr. Judd  
Mr. Kent  
Mr. Krum  
Mr. T. Lewis  
Mr. Livingston  
Mr. Loomis  
Mr. Mallory  
Mr. M'Cluer  
Mr. M'Kie  
Mr. M'Neil  
Mr. Moseley  
Mr. Murphy  
Mr. Ogden  
Mr. P. W. Paddock  
Mr. Patterson

Mr. Powers  
Mr. Preston  
Mr. Richmond  
Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. M. H. Sibley  
Mr. Speaker  
Mr. Springer  
Mr. Stetson  
Mr. Stevens  
Mr. C. Strong  
Mr. E. Strong  
Mr. Suffern  
Mr. Thorn  
Mr. Tillinghast  
Mr. Tomlinson  
Mr. Tyrrel  
Mr. Van Bergen  
Mr. Wager  
Mr. Waldron  
Mr. Warren  
Mr. Wheeler  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Williams  
Mr. Woodbury

Mr. Fisher  
Mr. Griswold  
Mr. Groom  
Mr. Hall

Mr. Peck  
Mr. Phillips  
Mr. Philo  
Mr. Plumb

Mr. Woodward  
Mr. W. Woodworth  
Mr. Wylie

92

Those who voted in the negative are

Mr. Carr  
Mr. Clinch  
Mr. Cuykendall

Mr. J. Haskell  
Mr. Herttell

Mr. King  
Mr. Wetmore

7

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to incorporate the Pea-  
conic navigation company."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Baker  
Mr. Barnes  
Mr. Beecher  
Mr. Benjamin  
Mr. Bennet  
Mr. Blatchly  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown  
Mr. Burhans  
Mr. Burke  
Mr. Barnum  
Mr. Burr  
Mr. Cash  
Mr. A. Clark  
Mr. Coe  
Mr. Conklin  
Mr. Crain  
Mr. Crary  
Mr. Crosby  
Mr. Cuykendall  
Mr. Davis  
Mr. Denniston

Mr. Healy  
Mr. Hendee  
Mr. Herttell  
Mr. Hicks  
Mr. Hildreth  
Mr. Hiller  
Mr. Hillyer  
Mr. Horton  
Mr. Hough  
Mr. Hutchinson  
Mr. Jackson  
Mr. Jones  
Mr. Judd  
Mr. Kent  
Mr. King  
Mr. Krum  
Mr. T. Lewis  
Mr. Livingston  
Mr. Lockwood  
Mr. Loomis  
Mr. Mallory  
Mr. M'Cluer  
Mr. M'Kie  
Mr. M'Neil

Mr. Philo  
Mr. Plumb  
Mr. Powers  
Mr. Preston  
Mr. Richmond  
Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. M. H. Sibley  
Mr. Speaker  
Mr. Springer  
Mr. Stetson  
Mr. Stevens  
Mr. C. Strong  
Mr. E. Strong  
Mr. Suffern  
Mr. Thorn  
Mr. Tomlinson  
Mr. Tyrrel  
Mr. Van Bergen  
Mr. Wager  
Mr. Waldron  
Mr. Warren  
Mr. Wheeler



Mr. Eldred	Mr. Moseley	Mr. Wilcoxson
Mr. Farwell	Mr. Murphy	Mr. Wilkinson
Mr. Finch	Mr. Ogden	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Patterson	Mr. Woodward
Mr. Groom	Mr. Peck	Mr. W. Woodworth
Mr. Hall	Mr. Phillips	Mr. Wylie
Mr. Harvey		

94

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch		

4

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

*Ordered*, That the committee on Indian affairs be discharged from the consideration of the petition of Joseph Tarbell, and that the same be referred to the Comptroller.

In pursuance of previous notice, Mr. Springer asked for and obtained leave to bring in a bill, entitled "An act in relation to the measurement and inspection of lumber;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

Mr. Fisher gave notice that he would, on some future day, ask leave to introduce a bill to compensate jurors for their services at county courts in Tioga county.

On motion of Mr. Wetmore,

*Resolved*, That the committee on the judiciary inquire and report to this House, what legislative action is necessary to provide for a new and amended edition of the Revised Statutes.

On motion of Mr. Judd,

*Resolved*, That the engrossed resolution from the Senate, to amend the Constitution of this State, be committed to a committee of the whole house, and made the special order of the day for Friday the twentieth instant.

*Ordered*, That Mr. J. Clark have leave of absence for two weeks, and Mr. Gray for ten days.

On motion of Mr. D. Sibley,

*Resolved*, That a select committee be appointed to see that the Speaker's chair be repaired, or a new one provided.

Thereupon,

*Ordered*, That Mr. D. Sibley, Mr. Wetmore and Mr. Livingston, be the said committee.

*Ordered*, That the committee on rail-roads be discharged from the consideration of the petition of sundry inhabitants of the town of Glenville, praying that certain rail-road obstacles may be removed from the Mohawk bridge; and that the same be referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

And then the House adjourned until ten o'clock on Monday morning next.



## MONDAY, MARCH 9, 1835.

The House met pursuant to adjournment.

Two several remonstrances of sundry inhabitants of the towns of Madison and Lenox in the county of Madison, against the passage of an act annexing a part of the town of Sullivan to the county of Onondaga, were read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Otsego, praying for the passage of an act annexing a part of the towns of Davenport and Franklin in the county of Delaware, to the county of Otsego, was read, and referred to the committee on the erection and division of towns and counties.

The petition of the trustees of the Mayville Baptist Society, praying for the passage of an act authorising them to sell and convey their real estate, was read, and referred to the committee on the incorporation of charitable and religious societies.

The proceedings of the annual town meeting in the town of Sullivan in the county of Madison, remonstrating against raising money by tax for the improvement of a certain road in said town, between Chittenango and the Oneida lake, were read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the city of Rochester, against the incorporation of the Rochester and Charlotte Rail-Road Company, was read, and committed to the committee of the whole when on the bill to which it relates.

The proceedings of a meeting of the trustees of the Sailors' Snug Harbor, relative to the withdrawal of an application before the Legislature, authorising the said trustees to appoint their successors, and for other purposes, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Broome, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the village of Lockport in the county of Niagara, praying for an amendment of the charter of said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of H. Greenman of the county of Onondaga, praying for the passage of a law authorising him to take the oath of office as a commissioner of deeds, was read, and referred to the committee on the judiciary.

Two several remonstrances of sundry inhabitants of the county of Onondaga, against the incorporation of the Utica and Syracuse Rail-Road Company, were read, and committed to the committee of the whole when on the bill upon that subject.

Three several petitions of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct

a rail-road from Syracuse to Rochester, along the valley of the Erie canal, were read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Seneca, praying for the passage of an act authorising the supervisors of the several towns in the counties of Cayuga and Seneca, to raise money for the purpose of keeping in repair the free bridge across the Seneca river between said counties, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry manufacturers of marble mantles and ornamental marble in the city of New-York, praying for an alteration of the present State prison system, and for other purposes, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

Thereupon,

Mr. Carr made a motion that the House should agree to order the usual number of copies of the said petition to be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Carr, and it was determined in the negative.

{ NAYS 56 }  
{ AYES 45 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Dayan	Mr. Loomis
Mr. Anthony	Mr. Denniston	Mr. Mallory
Mr. Baker	Mr. Farwell	Mr. Niles
Mr. Beecher	Mr. Finch	Mr. W. S. Paddock
Mr. Benjamin	Mr. Groom	Mr. Palmer
Mr. Bennet	Mr. Harvey	Mr. Parker
Mr. Blatchly	Mr. A. Hascall	Mr. Patterson
Mr. Brooks	Mr. Healy	Mr. Preston
Mr. Burhans	Mr. Hicks	Mr. D. Sibley
Mr. Burke	Mr. Hildreth	Mr. Stetson
Mr. Barnum	Mr. Hiller	Mr. Stevens
Mr. Burr	Mr. Hough	Mr. Thorn
Mr. Cash	Mr. Hutchinson	Mr. Tillinghast
Mr. Coe	Mr. Jackson	Mr. Tomlinson
Mr. Crain	Mr. Jones	Mr. Warren
Mr. Crary	Mr. Judd	Mr. Wilcoxson
Mr. Crowell	Mr. Kent	Mr. Woodbury
Mr. Cuykendall	Mr. King	Mr. Woodward
Mr. Davis	Mr. Lockwood	

**Those who voted in the affirmative are**

Mr. Barnes	Mr. Krum	Mr. M. H. Sibley
Mr. Brasher	Mr. Livingston	Mr. Speaker
Mr. Cadwell	Mr. M'Cluer	Mr. Springer
Mr. Carr	Mr. M'Kie	Mr. C. Strong
Mr. A. Clark	Mr. M'Neil	Mr. E. Strong
Mr. Clinch	Mr. Moseley	Mr. Suffern
Mr. Conklin	Mr. Ostrom	Mr. Tyrrel
Mr. Crosby	Mr. P. W. Paddock	Mr. Van Bergen
Mr. Eldred	Mr. Pettit	Mr. Wager
Mr. Fisher	Mr. Phillips	Mr. Waldron
Mr. Hall	Mr. Plumb	Mr. Wetmore
Mr. J. Haskell	Mr. Richmond	Mr. Wheeler
Mr. Hendee	Mr. Roosevelt	Mr. Wilkinson
Mr. Hillyer	Mr. Seger	Mr. Williams
Mr. Horton	Mr. Shepard	Mr. W. Woodworth 45

The petition of sundry inhabitants of the county of Madison, praying for the incorporation of the Lenox Basin and Chenango Canal Turnpike Company, was read and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the town of Clarence in the county of Erie, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Hamburg in the county of Erie, praying for a division of said town, with a remonstrance against the same, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the counties of Cortland, Chenango and Madison, praying for a repeal of the law proscribing botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the appointment of commissioners to lay out a road from Pike in the county of Allegany, to Attica in the county of Genesee, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Erie and Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of Brooklyn, praying for an alteration of the present State prison system, was read, and referred to the select committee on so much of the Governor's message as relates to that subject.

The remonstrance of sundry inhabitants of the county of Queens, against the removal of the court-house in said county, was read,

and committed to the committee of the whole when on the bill to which it relates.

The petition of Warren W. Case of the county of Onondaga, praying remuneration for damages alleged to have been sustained in consequence of the defective condition of the weigh-lock at Rochester, whereby his boat and cargo were damaged, was read, and referred to the committee on grievances.

The petition of James Sloan of the city of Buffalo, praying for the establishment of a ferry from said city to Fort Erie, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Kings and Queens, praying for the incorporation of a company to construct a turnpike road from Williamsburgh in the county of Kings, to Newtown in the county of Queens, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of the village of Ekmira in the county of Tioga, praying for remuneration for damages alleged to have been sustained by a breach in the Chemung canal, was read, and referred to the committee on grievances.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of the village of Montgomery in the county of Orange, praying for an amendment of the charter of said village, reported a bill, entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery in the county of Orange,' passed April 11th, 1817;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of St. Lawrence, praying for a revival of the act to incorporate the Niagara Canal Company, reported a bill, entitled "An act to revive the act to incorporate the Niagara canal company, passed April 11th, 1823;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of Major Watson, for a grant of bounty lands, reported; and offered the following resolution:

[See Document No. 272.]

*Resolved*, That the petition of Major Watson for a grant of bounty land, be denied, and that he have leave to withdraw his petition.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

Mr. Hillyer, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the New-York India rubber cloth company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Hough, from the select committee to which was referred the bill entitled "An act to amend the charter of the village of Cazenovia," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Clinch, from the select committee to which was referred the bill entitled "An act to amend chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Brasher, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Erin fraternal benevolent association," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. M. H. Sibley, from the committee on claims, to which was referred the memorial of Jacob Trumbour of the town of Sauger-ties in the county of Ulster, praying for remuneration for services rendered the State, reported; and asked leave to introduce a bill.

[See Document No. 266.]

*Ordered,* That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act to provide for the payment of Jacob Trumbour, for surveying the canals of this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Baker, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1st, 1834," reported, that the committee

had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Baker, from the select committee to which was referred the bill entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Brasher, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act for the appointment of commissioners to perform certain duties in the city of Brooklyn," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Wager, from the select committee to which was referred the petition of Rebecca L. Parker and the wardens and vestry of St. John's Church at Delhi in the county of Delaware, praying for the confirmation of the last will and testament of Daniel Cameron deceased, and also the petition of William Thompson and Maria Thompson, and of John Ladd and Nancy Ladd, praying that the estate of said Cameron should be granted to them respectively, reported; and asked leave to introduce a bill.

[*See Document No. 271.*]

*Ordered,* That leave be given to bring in such bill.

Mr. Wager, according to leave, brought in the said bill, entitled "An act to confirm the last will and testament of Daniel Cameron deceased, late of the town of Delhi in the county of Delaware;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act concerning the granting of licenses," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

The engrossed bill from the Senate, entitled "An act to incorporate the New-York India rubber cloth company," was read the third time.

Mr. Speaker put the question whether the House would agree to



the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Palmer
Mr. Anthony	Mr. Groom	Mr. Parker
Mr. Baker	Mr. Harvey	Mr. Patterson
Mr. Barnes	Mr. A. Hascall	Mr. Peck
Mr. Beecher	Mr. Healy	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Phillips
Mr. Bennet	Mr. Hicks	Mr. Philo
Mr. Blatchly	Mr. Hildreth	Mr. Powers
Mr. Brasher	Mr. Hiller	Mr. Preston
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Hutchinson	Mr. D. Sibley
Mr. Barnum	Mr. Jackson	Mr. M. H. Sibley
Mr. Burr	Mr. Jones	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Cash	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. King	Mr. C. Strong
Mr. Coe	Mr. Krum	Mr. Suffern
Mr. Conklin	Mr. T. Lewis	Mr. Thorn
Mr. Crain	Mr. Livingston	Mr. Tomlinson
Mr. Crary	Mr. Lockwood	Mr. Tyrrel
Mr. Crosby	Mr. Loomis	Mr. Van Bergen
Mr. Crowell	Mr. Mallory	Mr. Wager
Mr. Cuykendall	Mr. M'Cluer	Mr. Waldron
Mr. Davis	Mr. M'Kie	Mr. Warren
Mr. Dayan	Mr. M'Neil	Mr. Wilcoxson
Mr. Denniston	Mr. Moseley	Mr. Wilkinson
Mr. Eldred	Mr. Niles	Mr. Williams
Mr. Farwell	Mr. Ogden	Mr. Woodbury
Mr. Finch	Mr. Ostrom	Mr. Woodward
Mr. Fisher	Mr. P. W. Paddock	Mr. W. Woodworth 96

Those who voted in the negative are

Mr. Clinch	Mr. W. S. Paddock	Mr. Tillinghast
Mr. Hall	Mr. Roosevelt	Mr. Wheeler
Mr. J. Haskell		

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The engrossed bill from the Senate, entitled "An act for the appointment of commissioners to perform certain duties in the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 62 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. Hall	Mr. Philo
Mr. Barnes	Mr. Harvey	Mr. Powers
Mr. Beecher	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Hendee	Mr. Richmond
Mr. Bennet	Mr. Hildreth	Mr. Roosevelt
Mr. Blatchly	Mr. Hiler	Mr. Seger
Mr. Brasher	Mr. Hillyer	Mr. Shepard
Mr. Brooks	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. Hough	Mr. M. H. Sibley
Mr. G. Brown	Mr. Hutchinson	Mr. Simmons
Mr. Burhans	Mr. Jackson	Mr. Speaker
Mr. Burke	Mr. Jones	Mr. Springer
Mr. Barnum	Mr. Judd	Mr. Stevens
Mr. Burr	Mr. Kent	Mr. C. Strong
Mr. Cadwell	Mr. King	Mr. E. Strong
Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. T. Lewis	Mr. Thorn
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tomlinson
Mr. Conklin	Mr. Loomis	Mr. Tyrrel
Mr. Crain	Mr. M'Cluer	Mr. Van Bergen
Mr. Crary	Mr. M'Kie	Mr. Wager
Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Crowell	Mr. Niles	Mr. Warren
Mr. Cuykendall	Mr. Ogden	Mr. Wetmore
Mr. Davis	Mr. Ostrom	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. Palmer	Mr. Williams
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. Woodward
Mr. Fisher	Mr. Peck	Mr. W. Woodworth

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Those who voted in the negative are

Mr. A. Hascall

Mr. J. Haskell

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The engrossed bill from the Senate, entitled "An act to incorporate the Erin fraternal benevolent association," was read the third time.



Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Peck
Mr. Anthony	Mr. Harvey	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Phillips
Mr. Barnes	Mr. Healy	Mr. Philo
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Seger
Mr. Brasher	Mr. Horton	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. M. H. Sibley
Mr. G. Brown	Mr. Jackson	Mr. Simmons
Mr. Burhans	Mr. Jones	Mr. Speaker
Mr. Burke	Mr. Judd	Mr. Springer
Mr. Barnum	Mr. Kent	Mr. Stevens
Mr. Burr	Mr. King	Mr. C. Strong
Mr. Cadwell	Mr. Krum	Mr. E. Strong
Mr. A. Clark	Mr. T. Lewis	Mr. Suffern
Mr. Coe	Mr. Livingston	Mr. Thorn
Mr. Conklin	Mr. Lockwood	Mr. Tillinghast
Mr. Crain	Mr. Loomis	Mr. Tomlinson
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Van Bergen
Mr. Crowell	Mr. M'Kie	Mr. Wager
Mr. Cuykendall	Mr. Mosceley	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Warren
Mr. Dayan	Mr. Ogden	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. W. Woodworth
Mr. Groom		100

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	3
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**Ordered,** That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 08 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Peck
Mr. Anthony	Mr. Harvey	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Phillips
Mr. Barnes	Mr. Healy	Mr. Philo
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Roosevelt
Mr. Brasher	Mr. Horton	Mr. Seger
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. G. Brown	Mr. Jackson	Mr. M. H. Sibley
Mr. Burhans	Mr. Jones	Mr. Simmons
Mr. Burke	Mr. Judd	Mr. Speaker
Mr. Barnum	Mr. Kent	Mr. Springer
Mr. Burr	Mr. King	Mr. Stevens
Mr. Cadwell	Mr. Krum	Mr. C. Strong
Mr. Cash	Mr. T. Lewis	Mr. E. Strong
Mr. A. Clark	Mr. Livingston	Mr. Suffern
Mr. Coc	Mr. Lockwood	Mr. Thorn
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crain	Mr. M'Cluer	Mr. Tomlinson
Mr. Crary	Mr. M'Kie	Mr. Tyrrel
Mr. Crosby	Mr. M'Neil	Mr. Van Bergen
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. Ogden	Mr. Warren
Mr. Eldred	Mr. Ostrom	Mr. Wheeler
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Fisher	Mr. Palmer	Mr. Williams
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. W. Woodworth 99

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore
Mr. Cuykendall	Mr. Hicks	Mr. Woodbury
Mr. Davis	Mr. Mallory	

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving the road through the Indian reservation in said county."

W. L. MARCY.

*Albany, March 7, 1835.*

On motion of Mr. Farwell,

**Resolved,** That the committee on rail-roads be discharged from the further consideration of the various petitions for a rail-road from the village of Batavia to the city of Buffalo, and that the said petitions be referred to the committee of the whole house, on the bill for the construction of a rail-road from the village of Attica to the city of Buffalo.

On motion of Mr. Adams,

**Resolved,** That the several bills on the general orders for the amendment of the charters of fire insurance companies, and for the incorporation of fire insurance companies, be the order of the day for the twenty-third instant.

On motion of Mr. King,

**Resolved,** That the bill relating to tavern licenses, laid on the table this morning, be recommitted to a committee of the whole house.

**Ordered,** That Mr. Murphy have leave of absence for six days.

On motion of Mr. Adams,

**Resolved,** That the committee on grievances be discharged from the further consideration of the petition of Herman H. Bogart, praying remuneration for damages sustained by the filling up of his mill-race on the Crooked lake canal, and that the same be referred to the Canal Commissioners.

Mr. Wetmore offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** (if the Senate concur,) That this Legislature will adjourn on the day of April next.

**Ordered,** That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. Wilkinson asked for and obtained leave to bring in a bill, entitled "An act to amend the act entitled 'An act to authorise Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the manufacture of salt.

The Senate returned the bill entitled "An act to incorporate the Peaconic navigation company;" and the bill entitled "An act to

extend the time for the collection of taxes in the town of Great-Valley, and for other purposes."

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend an act entitled 'An act to incorporate the New-Paltz academy,' passed April 12th, 1833."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academics and common schools.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## TUESDAY, MARCH 10, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the county of Onondaga, against the incorporation of a company to construct a rail-road from Utica to Syracuse, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the village of Greenbush in the county of Rensselaer, praying for authority to construct a bridge across the Hudson river at Albany, with a remonstrance of sundry inhabitants of the village of Port-Schuyler against the same, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of sundry inhabitants of the county of Saratoga, praying for the incorporation of a company to construct a rail-road from the village of Ballston-Spa to Galway corners in said county, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Monroe, praying for the passage of a law to prevent the practice of betting on elections, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the village of Brockport in the county of Monroe, praying for an amendment of their charter, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. A. Clark and Mr. G. Brown.

The petition of sundry inhabitants of the counties of Tompkins, Tioga and Chenango, praying for a repeal of the law proscribing botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Cattaraugus and Erie, praying for the passage of a law authorising the supervisors of said counties to raise money by tax, to build a bridge across the Cattaraugus creek, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Herkimer, praying for the passage of an act authorising the appointment of commissioners to lay out a road from Little-Falls to Herkimer in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the Hibernian Provident Society of the city of New-York, praying for an extension of their charter, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Columbia, praying for the incorporation of a literary institution, with an appropriation of two thousand dollars from the State treasury, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of the Niagara and Genesee Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Queens and Kings, praying for the incorporation of a company to construct a turnpike road from Newtown in the county of Queens, to Bushwick in the county of Kings, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Davis, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1833," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Davis, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the engrossed bill from the Senate, entitled "An act to continue the charter of the Franklin fire insurance company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Cash, from the committee on ways and means, to which was referred the engrossed bill from the Senate, entitled "An act for the support of the government of this State," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole, when on the resolution of the Senate for amending the Constitution relative to the Canal fund.

Mr. Moseley, from the committee on Indian affairs, to which was referred the engrossed bill from the Senate, entitled "An act directing the sale to William Page, of one hundred acres of land in the New-Stockbridge or Oneida reservation," reported:

[*See Document No. 280.*]

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of the trustees of Montgomery Academy, praying for an amendment of the act constituting the trustees of Montgomery Academy trustees of school district number seven in the town of Montgomery, reported a bill, entitled "An act for the relief of Montgomery academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Judd, from the committee on medical societies and colleges, to which was referred the petition of sundry inhabitants of the county of Onondaga, praying for the passage of an act to incorporate an eye infirmary, to be located in the village of Syracuse in said county, reported a bill, entitled "An act to incorporate the Western eye and ear infirmary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Griswold, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Troy turnpike and rail-road company,' passed April 18th, 1831," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Thereupon,

The said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Anthony	Mr. A. Hascall	Mr. Pettit
Mr. Baker	Mr. Healy	Mr. Phillips
Mr. Barnes	Mr. Hendee	Mr. Philo
Mr. Beecher	Mr. Hildreth	Mr. Plumb
Mr. Benjamin	Mr. Hiller	Mr. Powers
Mr. Bennet	Mr. Hillyer	Mr. Preston
Mr. Blatchly	Mr. Horton	Mr. Richmond
Mr. Brasher	Mr. Hough	Mr. Roosevelt
Mr. Brooks	Mr. Hutchinson	Mr. Seger
Mr. A. Brown	Mr. Jackson	Mr. Shepard
Mr. G. Brown	Mr. Jones	Mr. D. Sibley
Mr. Burhans	Mr. Judd	Mr. M. H. Sibley
Mr. Burke	Mr. Kent	Mr. Simmons
Mr. Barnum	Mr. King	Mr. Speaker
Mr. Burr	Mr. Krum	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. Coe	Mr. Livingston	Mr. C. Strong
Mr. Conklin	Mr. Lockwood	Mr. E. Strong
Mr. Crain	Mr. Loomis	Mr. Suffern
Mr. Crary	Mr. Mallory	Mr. Thorn
Mr. Crosby	Mr. M'Cluer	Mr. Tillinghast
Mr. Crowell	Mr. M'Kie	Mr. Tomlinson
Mr. Cuykendall	Mr. M'Neil	Mr. Tyrrel
Mr. Davis	Mr. Moseley	Mr. Van Bergen
Mr. Dayan	Mr. Niles	Mr. Wager
Mr. Denniston	Mr. Odell	Mr. Waldron
Mr. Eldred	Mr. Ogden	Mr. Wheeler
Mr. Farwell	Mr. Ostrom	Mr. Wilcoxson
Mr. Finch	Mr. W. S. Paddock	Mr. Wilkinson



Mr. Fisher	Mr. Palmer	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. A. Woodworth
Mr. Harvey	Mr. Peck	Mr. W. Woodworth

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Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	3
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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Peaconic navigation company."

Also the bill entitled "An act to extend the time for the collection of taxes in the town of Great-Valley, and for other purposes."

W. L. MARCY.

*Albany, March 10, 1835.*

*Ordered*, That Mr. Warren have leave of absence for ten days.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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### WEDNESDAY, MARCH 11, 1835.

The House met pursuant to adjournment.

Three several petitions of sundry inhabitants of the counties of Seneca and Cayuga, praying for authority to raise money for the support of the free bridge across the Seneca river, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Wayne, praying for an amendment of the excise law, was read, and committed to the committee of the whole when on the bill upon that subject.



The remonstrance of sundry inhabitants of the town of Lansingburgh in the county of Rensselaer, against the incorporation of the West-Troy and Waterford Turnpike Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Montgomery, praying for the survey of a canal route from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Washington, praying for the incorporation of the Union Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the towns of Sempronius and Niles, praying for the passage of an act providing for the more equal distribution of the monies arising from their gospel and school lot, was read, and referred to a select committee, consisting of the members attending this House from the county of Cayuga.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located at Le Roy in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Washington, praying for the passage of an act authorising the town of Granville in said county, to raise money by tax, to discharge a contract for building and repairing bridges in said town, was read, and referred to a select committee, consisting of the members attending this House from the county of Washington.

The petition of sundry inhabitants of the town of Canajoharie in the county of Montgomery, praying for remuneration for damages alleged to have been sustained in consequence of the construction of the dam bridge pier on the Erie canal, was read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Rockland, praying for the passage of an act in relation to the enclosing of certain woodlands in said county, was read, and referred to the select committee on that subject, of which Mr. Suffern is chairman.

Mr. Burhans, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act relative to grants of land under water in the counties of Suffolk, Queens and Kings;" the bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company;" the bill entitled "An act regulating sales at public auction in the city of Utica;" the bill entitled "An act to incorporate the Ithaca Mechanics' society;" the bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,'

passed May 5th, 1834;" the bill entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830;" the bill entitled "An act to exempt females from imprisonment on executions issued for costs only;" the bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807;" and the bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act relative to grants of land under water in the counties of Suffolk, Queens and Kings," be referred to a select committee, consisting of Mr. Jackson, Mr. Roosevelt and Mr. Phillips; that the bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company," be referred to a select committee, consisting of Mr. Niles, Mr. Harvey and Mr. Crain; that the bill entitled "An act regulating sales at public auction in the city of Utica," be referred to a select committee, consisting of Mr. Hough, Mr. W. Woodworth and Mr. Ogden; that the bill entitled "An act to incorporate the Ithaca Mechanics' society," be referred to a select committee, consisting of Mr. Williams, Mr. Fisher and Mr. Mallory; that the bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 5th, 1834," be referred to a select committee, consisting of Mr. Brasher, Mr. Conklin and Mr. Suffern; that the bill entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830," be referred to a select committee, consisting of Mr. Parker, Mr. Palmer and Mr. Crowell; that the bill entitled "An act to exempt females from imprisonment on executions issued for costs only," be referred to a select committee, consisting of Mr. Pettit, Mr. Dayan and Mr. A. Hascall; that the bill entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1807," be referred to a select committee, consisting of Mr. Lockwood, Mr. Crosby and Mr. Deniston; and that the bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany," be referred to a select committee, consisting of Mr. Burr, Mr. Baker and Mr. Moseley, to be by the said committees severally reported complete.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Orleans, praying for the passage of an act authorising and requiring the supervisors of said county to raise one thousand dollars, to make a road across the Tonawanda swamp in said county, reported a bill, entitled "An act authorising the board of supervisors of the county of Orleans to raise money to make a road across Tonawanda swamp in the town of Barre in said county;"

which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Coe, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the wardens and vestrymen of St. John's Church in Johnson's settlement in the county of Tioga, praying for authority to sell and dispose of certain real estate, reported a bill, entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Allegany, praying for the passage of an act authorising the supervisors of said county to raise money for the construction of a bridge across the Genesee river at Portageville in said county, reported a bill, entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred a resolution of the Assembly adopted on the second instant, in the following words:

*"Resolved, That the committee on colleges, academies and common schools, be instructed to inquire into the expediency of so amending the law in relation to common schools, as to provide for the payment of the school bills of indigent persons by a tax on the taxable property in the respective districts, in place of the manner now provided by law:"*

Reported; and offered the following resolutions:

*[See Document No. 281.]*

*Resolved, That the Superintendent of Common Schools be requested to report to this House during the present session, whether or not, in his opinion, it is advisable so to amend the law relating to common schools, as to provide for the payment of the school bills of indigent persons by a tax on the taxable property in the respective school districts.*

*Resolved, That the committee on colleges, academies and common schools, be discharged from the further consideration of the resolution of the second instant.*

Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the county of Wayne, praying for the erection of a new county from parts of the counties of Wayne and Ontario,

reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Harvey, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the county of Otsego, praying that part of the town of Davenport in the county of Delaware, may be annexed to the county of Otsego, reported a bill, entitled "An act to annex a part of the town of Davenport, and a part of the town of Franklin in the county of Delaware, to the town of Oneonta in the county of Otsego, and to annex a part of the town of Davenport to the town of Meredith in Delaware county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wylie, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the county of Tioga, praying for the incorporation of the village of Havana in said county, reported a bill, entitled "An act to incorporate the village of Havana in the county of Tioga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Burke, from the majority of the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act to incorporate the New-Paltz academy, passed April 12th, 1833," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the counties of Cayuga and Tompkins, for a rail-road from Auburn to Ithaca, reported a bill, entitled "An act to construct a rail-road from Auburn to Ithaca;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. King, from the select committee to which was referred the petitions of sundry inhabitants of the county of St. Lawrence, praying an alteration of the poor laws for that county, reported; and asked leave to introduce a bill.

[*See Document No. 285.*]

*Ordered*, That leave be given to bring in such bill.

Mr. King, according to leave, brought in the said bill, entitled "An act relating to the support of paupers in St. Lawrence county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the select committee to which was referred the bill entitled "An act to amend an act to incorporate the Oneida lake canal company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Lockwood, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Croton turnpike company,' passed April 6th, 1897," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Thereupon,

The said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 101 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Healy	Mr. Phillips
Mr. Baker	Mr. Hendee	Mr. Philo
Mr. Beecher	Mr. Hicks	Mr. Plumb
Mr. Benjamin	Mr. Hildreth	Mr. Powers
Mr. Bennet	Mr. Hillyer	Mr. Preston
Mr. Blatchly	Mr. Hough	Mr. Richmond
Mr. Brasher	Mr. Hutchinson	Mr. Ringgold
Mr. A. Brown	Mr. Ingersoll	Mr. Seger
Mr. G. Brown	Mr. Jackson	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Speaker
Mr. Cadwell	Mr. King	Mr. Springer
Mr. Carr	Mr. Krum	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. Coe	Mr. Loomis	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Chuer	Mr. Tomlinson
Mr. Crary	Mr. M'Kie	Mr. Tyrrel

Mr. Crosby	Mr. M'Neil	Mr. Van Bergen
Mr. Crowell	Mr. Moore	Mr. Wager
Mr. Cuykendall	Mr. Moseley	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. Ostrom	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodward
Mr. Griswold	Mr. Palmer	Mr. A. Woodworth
Mr. Groom	Mr. Parker	Mr. W. Woodworth
Mr. Hall	Mr. Patterson	Mr. Wyke
Mr. Harvey	Mr. Pettit	

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Those who voted in the negative are

Mr. Clinch                      Mr. J. Haskell                      Mr. Wetmore                      3

*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of S. H. Greenman, for the passage of a law authorising him to take the oath of office as a commissioner of deeds in the town of Skaneateles in the county of Onondaga, reported a bill, entitled "An act authorising Samuel H. Greenman of Onondaga county, to take the oath of office as a commissioner of deeds for said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from William B. Van Benthuisen, was received and read, in the words following, to wit:

*Albany, March 11, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

Having accepted an appointment which will require my undivided attention, I consider it my duty to resign the office of member of the Assembly of this State; which resignation you will please to communicate to the House.

I have the honor to be,

Very respectfully,

Your obedient servant,

W. B. VAN BENTHUISEN.

*Ordered,* That the said communication be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe;" the engrossed bill entitled



"An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools;'" and the engrossed bill entitled "An act to amend an act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany, passed May 1st, 1834," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to amend an act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany, passed May 1st, 1834," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Farwell gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Watertown Academy or high school.

In pursuance of previous notice, Mr. Fisher asked for and obtained leave to bring in a bill, entitled "An act fixing compensation to grand and petit jurors serving in courts of record in the county of Tioga;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water;" the bill entitled "An act relative to the Cayuga and Susquehannah turnpike company," and the bill entitled "An act to incorporate the Young Men's association for mutual improvement in the city of Albany," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to authorize the Mattewan company to extend their capital."

The said bill was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on trade and manufactures.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to authorize the clerk of the city and county of New-York to transcribe the docket of certain judgments mentioned therein;" the bill entitled "An act to amend title sixth, chapter third, part first of the Revised Sta-

tutes;" and the bill entitled "An act extending the time for the collection of taxes in the town of Canajoharie in the county of Montgomery," severally with the amendments therewith delivered.

The said bills and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have concurred with them in their amendments to the said bills, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act for the relief of Jacob I. Timmerman," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## THURSDAY, MARCH 12, 1835.

The House met pursuant to adjournment.

The petition of David M. Wescott, and sundry other inhabitants of the county of Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of sundry inhabitants of the counties of Montgomery, Cayuga, Onondaga and Saratoga, praying for a repeal of the law of last session, proscribing botanic practice, were read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Essex, against the erection of a toll-gate on the road between Keeseville and Elizabethtown in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Sundry documents of inhabitants of the county of Seneca, in relation to the lock dam canal navigation of the Seneca river, were read, and committed to the committee of the whole when on the bill upon that subject.



The memorial of the druggists of the city of Brooklyn, relative to the licensing apothecaries in said city, was read, and referred to the committee on medical societies and colleges.

The remonstrance of sundry inhabitants of the city of Troy, against the erection of a bridge over the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a bank, to be located at Lyons in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Two affidavits in support of the petition of Adonijah Carter for relief, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Saratoga, praying for the extension of the act incorporating the Saratoga-Springs and Schuylerville Rail-Road Company, was read, and referred to the committee on rail-roads.

Two several petitions of sundry inhabitants of the county of Wayne, praying for the incorporation of a rail-road company to construct a rail-road from Syracuse to Rochester, along the valley of the Erie canal, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Hamilton, praying for the survey of a canal route from the Sacandaga river to the Erie or Champlain canal, was read, and referred to the committee on canals and internal improvements.

The remonstrance of sundry inhabitants of the county of Madison, against annexing a part of the town of Sullivan to the county of Onondaga, was read, and referred to the committee on the erection and division of towns and counties.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants, for the incorporation of a mutual insurance company, to be located in the county of Wayne, reported a bill, entitled "An act to incorporate the Wayne mutual insurance company;" which was read the first time, and by unanimous consent was also read a second time, and made the order of the day for the twenty-third instant.

Mr. Parker, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to amend the act en-

titled 'An act to authorise Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the counties of Schoharie, Washington, Warren, Essex and Clinton, praying for the incorporation of a company, by the name and style of the Lake Champlain Steam Tow-Boat Company, reported a bill entitled "An act to incorporate the Lake Champlain steamboat transportation company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Hermon in the county of St. Lawrence, praying for a change of the name of said town, reported a bill, entitled "An act to change the name of the town of Hermon in the county of St. Lawrence;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the trustees of the Mayville Baptist Society, praying for the passage of an act authorising them to sell and convey their real estate, reported a bill, entitled "An act to authorise the trustees of the Mayville Baptist society to sell certain real estate;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of school district number one in the town of Salina in the county of Onondaga, reported a bill, entitled "An act in relation to school district number one in the town of Salina;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the county of Onondaga, praying for the passage of an act authorising the appointment of a Supreme Court commissioner, to reside at Syracuse in said county, reported a bill, entitled "An act authorising the appointment of an additional supreme court commissioner for each of the counties of Onondaga and Chautauque;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Kings and Queens, praying for the incorporation

of a company to construct a turnpike from Williamsburgh to or near the town of Newtown, reported a bill, entitled "An act to incorporate the Williamsburgh and Newtown bridge and turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which was referred the petition of S. Newton Dexter, with the report of the Commissioners of the Land-Office on the same, reported; and concluded that the prayer of the petitioner ought not to be granted.

[See Document No. 287.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of John M'Intyre and others, praying remuneration for injury alleged to have been sustained by waters of the Champlain canal, reported a bill, entitled "An act to provide for the assessment of the damages sustained by John M'Intyre and others, on the Champlain canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Niles, from the select committee to which was referred the bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Brasher, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 5th, 1834," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Hough, from the select committee to which was referred the bill entitled "An act relating to sales at public auction in the city of Utica," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. King, from the select committee to which was referred the bill entitled "An act in relation to district school-houses," reported,

that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Pettit, from the select committee to which was referred the bill entitled "An act to exempt females from imprisonment on executions issued for costs only," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Williams, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Ithaca Mechanics' society," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Adams, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act concerning the State hall," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. D. Sibley, from the select committee to which was referred the petition from the inhabitants of the village of Brockport in the county of Monroe, reported; and asked leave to introduce a bill.

[See Document No. 292.]

*Ordered*, That leave be given to bring in such bill.

Mr. D. Sibley, according to leave, brought in the said bill, entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport,' passed April 6th, 1829;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the select committee to which was referred the petition of inhabitants of the town of Fishkill, for an act to incorporate the Fishkill Education Society, reported; and asked leave to introduce a bill.

[See Document No. 282.]

*Ordered*, That leave be given to bring in such bill.

Mr. Anthony, according to leave, brought in the said bill, entitled "An act to incorporate the Fishkill education society;" which was

read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend the charter of the village of Cazenovia;" and the engrossed bill entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to amend the charter of the village of Cazenovia," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 104 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Phillips
Mr. Baker	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. J. Haskell	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Bennet	Mr. Hendee	Mr. Quackenboss
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brasher	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Roosevelt
Mr. A. Brown	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burbans	Mr. Hutchinson	Mr. Shepard
Mr. Burke	Mr. Ingersoll	Mr. D. Sibley
Mr. Barnum	Mr. Jackson	Mr. Speaker
Mr. Burr	Mr. Jones	Mr. Springer
Mr. Carpenter	Mr. Judd	Mr. Stetson
Mr. Carr	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. King	Mr. E. Strong
Mr. C. Clark	Mr. Krum	Mr. Suffern
Mr. Chack	Mr. J. W. Lewis	Mr. Thorn
Mr. Coe	Mr. Livingston	Mr. Tillinghast
Mr. Conklin	Mr. Lockwood	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. M'Kie	Mr. Wager
Mr. Crowell	Mr. M'Neil	Mr. Waldron
Mr. Cuykendall	Mr. Moore	Mr. Wetmore
Mr. Davis	Mr. Niles	Mr. Wheeler
Mr. Dayan	Mr. Odell	Mr. Wilcoxson

Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wyhe
Mr. Griswold	Mr. Peck	

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The said engrossed bill, entitled "An act to extend the navigation from the head of the Chemung canal feeder to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

A message from the Senate was read, informing that they have passed the bill entitled "An act to divide the town of Manlius in the county of Onondaga," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act relating to public instruction."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Orphan asylum society of the city of Brooklyn," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act relative to supplying the village of Whitehall with pure and wholesome water."

Also the bill entitled "An act relative to the Cayuga and Susquehannah turnpike company."

Also the bill entitled "An act to incorporate the Young Men's association for mutual improvement in the city of Albany."

Also the bill entitled "An act to divide the town of Manlius in the county of Onondaga."

W. L. MARCY.

*Albany, March 12, 1835.*

On motion of Mr. J. Haskell,

*Resolved*, That the bill for repealing the law prohibiting botanic practice, be made the special order of the day for Thursday the twenty-sixth day of March instant.



The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act for the relief of Jacob I. Timmerman."

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

On motion of Mr. Moore,

*Resolved*, That the bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building bridges in the town of Granville," with the accompanying papers, be referred to the select committee on that subject, of which Mr. Moore is chairman.

On motion of Mr. Adams,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of the trustees of the village of Elmira, praying remuneration for damages sustained by reason of a flood, and the consequent breach in the Chemung canal; and that the same be referred to the Canal Commissioners.

On motion of Mr. Parker,

*Resolved*, That the committee of the whole be discharged from the further consideration of the petition and bill relative to Samuel H. Greenman taking the oath of office as commissioner of deeds in the town of Skaneateles, in and for the county of Onondaga; and that the same be engrossed for a third reading.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Noah Burnham," and that the same be engrossed for a third reading.

Mr. Krum gave notice that he would, on some future day, ask leave to introduce a bill regulating the appointment and removal of county treasurers.

*Ordered*, That the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations," be the order of the day for Monday next.

In pursuance of previous notice, Mr. Farwell asked for and obtained leave to bring in a bill, entitled "An act to incorporate the Watertown academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

**FRIDAY, MARCH 13, 1836.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a bank, to be located in said county, by the name of the Bank of Lyons, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Genesee, praying for the passage of an act authorising the appointment of commissioners to lay out a road through the Indian reservation in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Otsego, praying for the construction of a M'Adam road from Albany to Oswego, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Delaware, praying for aid in the construction of the New-York and Erie railroad, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Niagara, praying for the extension and revival of the act entitled "An act to incorporate the Niagara canal company," passed April 11, 1823, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of Buffalo, praying for an amendment of their charter, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Yates, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of sundry inhabitants of the county of Dutchess, in relation to the labor and wages of persons employed in the factories in said county, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Warren, praying for an amendment of the law concerning taxation, was read, and referred to the committee on ways and means.

The petition of Daniel Fowler, a Stockbridge Indian, praying for the passage of an act authorising him to sell certain land patented to him by the State, was read, and referred to the committee on Indian affairs.

The petition of sundry inhabitants of the city of Buffalo, praying for the repeal of the law authorising Elijah Leech and others to build a toll-bridge across Buffalo creek, passed March 15th, 1833,



was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turn-pike companies.

Mr. Farwell, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery;" the bill entitled "An act to incorporate the Caoutchouc manufacturing company;" the bill entitled "An act to change the name of Posteritas Pope Benton;" the bill entitled "An act to incorporate the village of Canastota;" the bill entitled "An act to authorise the appointment of a supreme court commissioner, to reside in the north part of the county of Madison, and for other purposes;" the bill entitled "An act to regulate the taking and summoning of juries in justices' courts;" the bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary;" the bill entitled "An act to prevent the sale of strong or spirituous liquors to certain persons," and the bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery," be referred to a select committee, consisting of Mr. Wetmore, Mr. C. Clark and Mr. Shepard; that the bill entitled "An act to incorporate the Caoutchouc manufacturing company," be referred to a select committee, consisting of Mr. Livingston, Mr. Ogden and Mr. D. Sibley; that the bill entitled "An act to change the name of Posteritas Pope Benton," be referred to a select committee, consisting of Mr. W. S. Paddock and Mr. Tillinghast; that the bill entitled "An act to incorporate the village of Canastota," be referred to a select committee, consisting of Mr. Hough, Mr. Parker and Mr. Brooks; that the bill entitled "An act to authorise the appointment of a supreme court commissioner, to reside in the north part of the county of Madison, and for other purposes," be referred to a select committee, consisting of Mr. P. W. Paddock, Mr. Bennet and Mr. A. Brown; that the bill entitled "An act to regulate the taking and summoning of juries in justices' courts," be referred to a select committee, consisting of Mr. Wilcoxson, Mr. Cuykendall and Mr. Phillips; that the bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary," be referred to a select committee, consisting of Mr. T. Lewis, Mr. Richmond and Mr. Farwell; that the bill entitled "An act to prevent the sale of strong or spirituous liquors to certain persons," be referred to a select committee, consisting of Mr. A. Hascall, Mr.

Tomlinson and Mr. M'Neil; and that the bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie," be referred to a select committee, consisting of Mr. Krum, Mr. Hiller and Mr. Loomis, to be by the said committees severally reported complete.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act relating to public instruction," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of John Chipp and others, for the incorporation of a steam-boat company, reported a bill, entitled "An act to incorporate the Kingston steam-boat company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to revive the act entitled 'An act to vest certain powers in the freeholders and inhabitants in the village of Lewiston,'" reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of Warren W. Case, praying remuneration for damages done his boat and cargo while navigating the Erie canal, reported a bill, entitled "An act for the relief of Warren W. Case;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to authorise the Matteawan company to extend their capital," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Palmer, from the select committee to which was referred the petition of sundry inhabitants of the towns of Sempronius and Niles in the county of Cayuga, praying for a more equal distribution of the moneys arising from their capital and school lot, reported a bill, by the unanimous consent of the House, entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school moneys;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hough, from the committee on grievances, to which was referred the petition of Henry James and others, for relief, reported; and asked leave to introduce a bill.

[See Document No. 298.]

*Ordered*, That leave be given to bring in such bill.

Mr. Hough, according to leave, brought in the said bill, entitled "An act for the relief of Henry James and others;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wylie, from the select committee to which was referred the bill entitled "An act to incorporate the village of Clyde in the county of Wayne," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Palmer, from the select committee to which was referred the bill entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to incorporate the West-Troy caoutchouc manufacturing company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of Madison, praying for the extension of the west branch feeder of the Chenango canal to Eaton village, reported a bill, entitled "An act relative to the west branch feeder to the Chenango canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of H. H. Bogart, respectfully report:

[See Document No. 283.]

**Ordered,** That the said report be referred to the committee on grievances.

The engrossed bill from the Senate, entitled "An act relating to public instruction," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Burhans gave notice that he would, on some future day, ask leave to introduce a bill to authorise Peter Pine, who was elected a coroner of the county of Delaware at the last general election, and who neglected to take the oath of office prescribed by the Constitution within the time prescribed by law, now to take said oath.

In pursuance of previous notice, Mr. Krum asked for and obtained leave to bring in a bill, entitled "An act in relation to the appointment of treasurer of the several counties in this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827, and for other purposes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Adams, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Adams, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act for the relief of Noah Burnham;" the engrossed bill entitled "An act to amend an act to incorporate the Oneida lake canal company;" the engrossed bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company;" the engrossed bill entitled "An act authorising Samuel H. Greenman of Onondaga county, to take the oath of office as commissioner of deeds for said county;" the engrossed bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany;" the engrossed bill entitled "An act relating to sales at public auction in the city of Utica;" the engrossed bill entitled "An act in relation to district school-houses;" the engrossed bill entitled "An act to exempt females from imprisonment on executions issued for costs only;" and the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 5th, 1834," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, That the Assembly be respectfully requested to transmit to the Senate, any memorials, remonstrances, or other documents which may have been presented to the Assembly at its present session, in relation to the construction of the Chenango canal and its feeders, reservoirs, or any other works connected therewith.

Mr. Speaker put the question whether the House would agree the said resolution, and it was determined in the affirmative.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, MARCH 14, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the county of Onondaga, against the incorporation of the Utica and Syracuse Railroad Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Orange, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of B. P. Staats and others of the city and county of Albany, praying for the incorporation of an insurance company, by

the name and style of the Albany County Mutual Insurance Company, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of the president, directors and company of the Mohawk Bridge Company, against the passage of an act authorising said company to reduce their rates of toll, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Monroe, against the passage of an act restricting the circulation of small bills, was read, and committed to the committee of the whole when on the bill to which it relates.

The remonstrance of sundry inhabitants of the town of Malta in the county of Saratoga, against the construction of a rail-road from Saratoga-Springs to the town of Malta, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Brighton in the county of Monroe, praying for a division of said town, with a remonstrance against the same, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry electors of the town of Peru in the county of Clinton, in annual town meeting assembled, praying for authority to vote for town officers on separate and distinct ballots, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Otsego, praying for an increase of the fund for the support of common schools, by a tax on the banks of this State, was read, and referred to the committee on ways and means.

The petition of sundry inhabitants of the county of Rensselaer, praying for the incorporation of a company to construct a rail-road from the city of Troy to West-Stockbridge, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the county of Columbia, against the repeal of the law abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Otsego, in relation to certain practices of manufacturing incorporations, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the southern towns in the county of Schoharie, praying for the incorporation of a turnpike company to construct a road from the village of Gilboa to the Blenheim, Jefferson and Harpersfield turnpike road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the president, directors and company of the Saugerties and Woodstock Turnpike Company, praying for an alteration of their charter, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Nathan Paddock of the county of Onondaga,



praying for damages alleged to have been sustained in repairing the Erie canal, was read, and referred to the Canal Commissioners.

The petition of sundry inhabitants of the town of Clinton in the county of St. Lawrence, praying for the passage of an act authorising the raising of money by tax in said town, for the benefit of their high school, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the town of Fowler in the county of St. Lawrence, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

Mr. Patterson, from the majority of the committee on the petitions of aliens, to which was referred the petition of Maria S. Hall, asking for the passage of an act releasing the right, title and interest of the State to a certain lot of land in the city of Schenectady, reported; and asked leave to introduce a bill.

[*See Document No. 286.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Patterson, according to leave, brought in the said bill, entitled "An act for the relief of Maria S. Hall;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of school district number thirteen in the town of Newburgh in the county of Orange, praying for authority to establish a school for the instruction of colored children, reported a bill, entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Philo, from the committee on the petitions of aliens, to which was referred the petition of Samuel King, reported; and concluded that the prayer of the petitioner ought not to be granted.

[*See Document No. 300.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Saratoga, praying for the incorporation of a company to construct a rail-road from Ballston-Spa to Galway corners, reported a bill, entitled "An act to construct a rail-road from Ballston-Spa to Galway corners;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was

referred the petition of sundry inhabitants of the county of Onondaga, praying for the incorporation of a company to construct a rail-road from the Onondaga quarries to Syracuse, reported a bill, entitled "An act to construct a rail-road from the Onondaga quarries to Syracuse;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the counties of Rensselaer and Albany, praying for the incorporation of a company to construct a rail-road from Greenbush to West-Stockbridge, reported a bill, entitled "An act to construct a rail-road from Greenbush to West-Stockbridge;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the bill entitled "An act in relation to the measurement and inspection of lumber," reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which was referred the petition of sundry purchasers of lots at Oneida Castleton, Oneida county, praying for an act authorising a reappraisal of the same, reported a bill, entitled "An act for the relief of purchasers of lots at Oneida Castleton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of George Thompson, asking a remuneration for land sold for taxes, reported; and concluded that the prayer of the petitioner ought not to be granted.

[*See Document No. 293.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Moore, from the select committee to which was referred the petition of sundry inhabitants of the town of Granville, praying for an act to defray certain expenses in said town, reported; and asked leave to introduce a bill.

[*See Document No. 290.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Moore, according to leave, brought in the said bill, entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville;" which was read the first



time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the majority of the select committee to which was referred the bill entitled "An act relative to grants of land under water in the counties of Suffolk and Queens," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. A. Haskell, from the select committee to which was referred the bill entitled "An act to prevent the sale of strong or spirituous liquors to certain persons," reported, that the committee had gone through the said bill, made amendments thereto, one of the said amendments being to alter the title to "An act to prevent the sale of strong or spirituous liquors to paupers," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Krum, from the select committee to which was referred the bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Roosevelt, pursuant to the order of this House, reported a bill, entitled "An act to submit to the people of this State a certain amendment to the Constitution;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the select committee to which was referred the bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Hough, from the select committee to which was referred the bill entitled "An act to incorporate the village of Canastota," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the West-Troy caoutchouc manufacturing company," and the engrossed bill entitled "An act to revive and continue the act entitled 'An act authorizing John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act to incorporate the West-Troy caoutchouc manufacturing company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 09 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Barnes	Mr. A. Hascall	Mr. Powers
Mr. Beecher	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Hendee	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Richmond
Mr. Blatchly	Mr. Hildreth	Mr. Seger
Mr. Brasher	Mr. Hillyer	Mr. Shafer
Mr. Brooks	Mr. Horton	Mr. Shepard
Mr. A. Brown	Mr. Hough	Mr. D. Sibley
Mr. G. Brown	Mr. Hutchinson	Mr. M. H. Sibley
Mr. Burhans	Mr. Ingersoll	Mr. Simmons
Mr. Burke	Mr. Jackson	Mr. Speaker
Mr. Barnum	Mr. Jones	Mr. Springer
Mr. Burr	Mr. Judd	Mr. Stetson
Mr. Cadwell	Mr. Kent	Mr. Stevens
Mr. Carpenter	Mr. King	Mr. C. Strong
Mr. Cash	Mr. Krum	Mr. E. Strong
Mr. A. Clark	Mr. Livingston	Mr. Suffern
Mr. C. Clark	Mr. Lockwood	Mr. Thorn
Mr. Coe	Mr. Loomis	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel

Mr. Crary	Mr. M'Neil	Mr. Van Bergen
Mr. Crowell	Mr. Moore	Mr. Wager
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Davis	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. A. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Carr	Mr. W. S. Paddock	Mr. Tillinghast
Mr. Clinch	Mr. Palmer	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler

9

The said engrossed bill, entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 5th, 1834," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Anthony	Mr. Griswold	Mr. Peck
Mr. Baker	Mr. Groom	Mr. Pettit
Mr. Barnes	Mr. Hall	Mr. Phillips
Mr. Beecher	Mr. Harvey	Mr. Powers
Mr. Benjamin	Mr. A. Hascall	Mr. Preston
Mr. Bennet	Mr. Healy	Mr. Quackenboss
Mr. Blatchly	Mr. Hendee	Mr. Richmond
Mr. Brasher	Mr. Hicks	Mr. Seger
Mr. Brooks	Mr. Hildreth	Mr. Shafer
Mr. A. Brown	Mr. Hillyer	Mr. Shepard
Mr. G. Brown	Mr. Horton	Mr. D. Sibley
Mr. Burhans	Mr. Hough	Mr. M. H. Sibley
Mr. Burke	Mr. Hutchinson	Mr. Simmons

Mr. Barnum	Mr. Ingersoll	Mr. Speaker
Mr. Burr	Mr. Jackson	Mr. Springer
Mr. Cadwell	Mr. Jones	Mr. Stetson
Mr. Carpenter	Mr. Judd	Mr. Stevens
Mr. Cash	Mr. Krum	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. Saffern
Mr. C. Clark	Mr. Loomis	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Cher	Mr. Tomlinson
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Denniston	Mr. Ostrom	Mr. Williams
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodbury
Mr. Farwell	Mr. Palmer	Mr. A. Woodworth
Mr. Finch	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Carr	Mr. King	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler

6

The engrossed bill entitled "An act concerning Noah Burnham," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act to exempt females from imprisonment on executions issued for costs only," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act in relation to district school-houses," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act relating to sales at public auction in the city of Utica," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act authorising Samuel H. Greenman of Onondaga county, to take the oath of office as commissioner of deeds for said county," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
 { NAYS 08 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Baker	Mr. Harvey	Mr. Peck
Mr. Barnes	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brasher	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shafer
Mr. G. Brown	Mr. Hough	Mr. Shepard
Mr. Burhans	Mr. Hutchinson	Mr. D. Sibley
Mr. Burke	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Barnum	Mr. Jackson	Mr. Simmons
Mr. Burr	Mr. Jones	Mr. Springer
Mr. Cadwell	Mr. Judd	Mr. Stetson
Mr. Carpenter	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. King	Mr. C. Strong
Mr. C. Clark	Mr. Krum	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Loomis	Mr. Thorn
Mr. Crary	Mr. Mallory	Mr. Tillinghast
Mr. Crosby	Mr. M'Cluer	Mr. Tomlinson
Mr. Caykendall	Mr. M'Neil	Mr. Tyrrel
Mr. Davis	Mr. Moore	Mr. Van Bergen
Mr. Dayan	Mr. Moseley	Mr. Wager
Mr. Denniston	Mr. Niles	Mr. Wilcoxson
Mr. Eldred	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. Ogden	Mr. Williams
Mr. Finch	Mr. Ostrom	Mr. Woodbury
Mr. Fisher	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Griswold	Mr. W. S. Paddock	Mr. Wylie 96

Those who voted in the negative are

Mr. Brooks	Mr. J. Haskell	Mr. Wetmore
Mr. Carr	Mr. Palmer	Mr. Wheeler
Mr. Clinch	Mr. Roosevelt	8

The engrossed bill entitled "An act to amend an act to incorporate the Oneida lake canal company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Barnes	Mr. Hicks	Mr. Preston
Mr. Beecher	Mr. Hildreth	Mr. Quackenboss
Mr. Benjamin	Mr. Hillyer	Mr. Richmond
Mr. Bennet	Mr. Horton	Mr. Seger
Mr. Blatchly	Mr. Hough	Mr. Shafer
Mr. Brasher	Mr. Hutchinson	Mr. Shepard
Mr. Brooks	Mr. Ingersoll	Mr. D. Sibley
Mr. A. Brown	Mr. Jackson	Mr. M. H. Sibley
Mr. G. Brown	Mr. Jones	Mr. Simmons
Mr. Burhans	Mr. Judd	Mr. Speaker
Mr. Burke	Mr. Kent	Mr. Springer
Mr. Barnum	Mr. King	Mr. Stetson
Mr. Burr	Mr. Krum	Mr. Stevens
Mr. Cadwell	Mr. Livingston	Mr. C. Strong
Mr. Carpenter	Mr. Loomis	Mr. E. Strong
Mr. A. Clark	Mr. Mallory	Mr. Suffern
Mr. C. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Moseley	Mr. Tyrrel
Mr. Cuykendall	Mr. Niles	Mr. Van Bergen
Mr. Davis	Mr. Odell	Mr. Wager
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Eldred	Mr. W. S. Paddock	Mr. Witkinson
Mr. Farwell	Mr. Palmer	Mr. Williams
Mr. Fisher	Mr. Parker	Mr. Woodbury
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth
Mr. Groom	Mr. Pettit	Mr. Wylie
Mr. Hall		

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Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wheeler	3
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*Ordered,* That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The Senate returned the bill entitled "An act to amend chapter third, part first of the Revised Statutes, entitled 'Of the census and enumeration of the inhabitants of the State;'" the bill entitled "An act extending the time for the collection of taxes in the town of Canajoharie in the county of Montgomery;" the bill entitled "An act to authorise the clerk of the city and county of New-York to transcribe the docket of certain judgments mentioned therein," and the bill entitled "An act for the relief of Jacob I. Timmerman."

**Ordered,** That the Clerk deliver the said bills to the Governor.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act for the relief of Holbrook Anderson," and the bill entitled "An act confirming the official acts of Andrew Follett as justice of the peace in and for the county of Rensselaer," severally without amendment.

**Ordered,** That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act authorising the corporation of the city of Troy to borrow moneys for the completion of their water-works;" a bill entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy;" a bill entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer;'" a bill entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829;" and a bill entitled "An act to appoint commissioners to lay out a road from Poughkeepsie to Pine-Plains in the county of Dutchess."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act authorising the corporation of the city of Troy to borrow moneys for the completion of their water-works," was referred to a select committee, consisting of the members attending this House from the county of Rensselaer; the bill entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy," was referred to the committee on the incorporation of charitable and religious societies; the bill entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer,'" was referred to the committee on trade and manufactures; the bill entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829," was referred to the committee on canals and internal improvements; and the bill entitled "An act to appoint commissioners to lay out a road from Poughkeepsie to Pine-Plains in the county of Dutchess," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, severally to consider and report thereon.

In pursuance of previous notice, Mr. Burhans asked for and obtained leave to bring in a bill, entitled "An act authorising Peter Pine of the county of Delaware, to take the oath of office as coroner of said county;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Groom offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That this House will meet on the \_\_\_\_\_ day of March, and daily thereafter, until otherwise determined, except on Saturdays, to hold an afternoon session, commencing at four o'clock, for the purpose of acting on the general orders.

**Ordered,** That the said resolution be laid upon the table.



On motion of Mr. Parker,

*Resolved*, That a select committee of five be appointed, to inquire into the expediency of purchasing a house in the city of Albany, on the Academy square, belonging to Henry L. Webb, esq. for the residence of the Governor of the State; and to report to this House by bill or otherwise.

Thereupon,

*Ordered*, That Mr. Parker, Mr. Dayan, Mr. D. Sibley, Mr. Stetson and Mr. M'Cluer, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock on Monday morning next.

## MONDAY, MARCH 16, 1835.

The House met pursuant to adjournment.

The petition of Henry Page and others of the county of Lewis, praying that the official acts of Henry Hand, a justice of said county, may be confirmed, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the town of Solon in the county of Cortland, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the town of Grove in the county of Allegany, praying for a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Onondaga, praying for the passage of the act entitled "An act to amend the act to abolish imprisonment for debt, and to punish fraudulent debtors," was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Tioga, praying for an amendment of the present State prison system, was read,



and referred to the select committee on that subject, of which Mr. Carr is chairman.

The remonstrance of sundry inhabitants of the county of Onondaga, against the petition of Adonijah Carter, was read, and committed to the committee of the whole when on the bill upon that subject.

Four several petitions of sundry inhabitants of the county of Dutchess, praying for the passage of an act authorising the appointment of commissioners to lay out a road from the village of Pine-Plains to Poughkeepsie, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the counties of Clinton and Essex, praying for the incorporation of a mutual fire insurance company, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The remonstrance of sundry inhabitants of the county of St. Lawrence, against an alteration of the poor laws of said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a bank, to be located at the village of Pekin in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer,'" reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act authorising Peter Pine of the county of Delaware, to take the oath of office as coroner of said county," reported, that the committee had examined the said bill, and recommend that it be passed into a law.

Thereupon,

Mr. Burhans made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Burhans, and it was unanimously determined, in the affirmative.

Mr. Griswold, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising the corporation of the city of Troy to borrow moneys for the completion of their water-works," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. W. S. Paddock, from the select committee to which was referred the bill entitled "An act altering the name of Posteritas Pope Benton," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

Mr. Suffern, from the select committee to which was referred the petition of several inhabitants of the county of Rockland, praying for the passage of a law authorising them to enclose a tract of woodland in said county, reported; and asked leave to introduce a bill.

[See Document No. 294.]

**Ordered,** That leave be given to bring in such bill.

Mr. Suffern, according to leave, brought in the said bill, entitled "An act to enclose a tract of woodland in the county of Rockland;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Suffern made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Suffern, and it was unanimously determined in the affirmative.

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

A communication from the Canal Commissioners, transmitting a report relative to a survey and examination of the inlet of the Cayuga lake at the village of Ithaca, was received and read.

[See Document No. 297.]

**Ordered,** That the said report be referred to the committee on canals and internal improvements.

**Ordered,** That Mr. Plumb have leave of absence for twelve days.

On motion of Mr. Crain,

**Resolved,** That the committee of the whole be discharged from the further consideration of the bill, "to authorise the supervisors of the county of Yates to raise an additional sum of money to

complete their court-house and jail, and for other purposes;" and that the same be referred to a select committee to report complete.

*Ordered*, That the committee of the whole be discharged from the consideration of the bill entitled "An act to submit to the people of this State a certain amendment to the Constitution," and that the same be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Judd, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Adams, from the said committee, reported progress, and asked for and obtained leave to sit again.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to authorise the clerk of the city and county of New-York to transcribe the docket of certain judgments mentioned therein."

Also the bill entitled "An act for the relief of Joseph A. Norton."

Also the bill entitled "An act for the relief of Holbrook Anderson."

Also the bill entitled "An act to amend chapter third, part first of the Revised Statutes, entitled 'Of the census and enumeration of the inhabitants of the State.'"

Also the bill entitled "An act for the relief of Jacob I. Timmerman."

Also the bill entitled "An act extending the time for the collection of taxes in the town of Canajoharie in the county of Montgomery."

Also the bill entitled "An act confirming the official acts of Andrew Follett, a justice of the peace in and for the county of Rensselaer."

W. L. MARCY.

*Albany, March 16, 1835.*

The Senate sent for concurrence, a bill entitled "An act authorising Aaron C. Hoar and his family to change their names," and a bill entitled "An act to regulate the sale of stocks and bills of exchange."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act authorising Aaron C. Hoar and his family to change their

names," was referred to a select committee, consisting of Mr. Ogden, Mr. Wager and Mr. Hall; and the bill entitled "An act to regulate the sale of stocks and bills of exchange," was referred to the committee on the judiciary, severally to consider and report thereon.

The annual report of the governors of the New-York Hospital was received and read.

[See Document No. 291.]

*Ordered*, That the said report be referred to the committee on the incorporation of charitable and religious societies.

And then the House adjourned until ten o'clock to-morrow morning.

## TUESDAY, MARCH 17, 1835.

The House met pursuant to adjournment.

The petition of sundry builders and others residing in the city of Utica, praying for the passage of a law requiring all lumber offered for sale in said city to be inspected, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the town of Hinsdale in the county of Cattaraugus, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of Felix Tracy, praying for authority to construct a dam and boat-lock in the Genesee river in the town of Leicester, was read, and referred to a select committee, consisting of Mr. Patterson, Mr. Hutchinson and Mr. D. Sibley.

The remonstrance of sundry inhabitants of the village of Poughkeepsic, against the appointment of commissioners to lay out a road from said village to Pine-Plains, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Dutchess, against the passage of a law to suppress the circulation of small bills, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Brighton in the county of Monroe, praying for a division of said town, together with a remonstrance against the same, was read, and referred to the committee on the erection and division of towns and counties.

The petition of Samuel R. Mathews of the county of Onondaga, praying for remuneration for damages alleged to have been sus-

tained in consequence of the taking possession of a certain piece of land in behalf of the State, for the benefit of the salt-works at Salina, was read, and referred to the committee on the manufacture of salt.

The petition of sundry inhabitants of the county of Onondaga, praying for the repeal of the law licensing the sale of spirituous liquors in taverns, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Rensselaer, praying for the passage of an act authorising the construction of a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the town of Davenport in the county of Delaware, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Tioga and Tompkins, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Queens, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a new court-house and jail in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from Batavia to Buffalo, was read, and committed to the committee of the whole when on the bill to construct a rail-road from Buffalo to Attica.

The petition of sundry inhabitants of the town of Hopkinton in the county of St. Lawrence, praying for an amendment of the poor laws of said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Saratoga, praying for the passage of an act prohibiting the sale of ardent spirits to habitual drunkards, was read, and referred to the committee on the judiciary.

The remonstrance of sundry inhabitants of the county of Onondaga, against the construction of the Utica and Syracuse rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

Two several petitions of Joseph B. Cheesman and Richard Udall junior, of the county of Queens, praying for the passage of an act authorising them to build wharves adjacent to their lands in said county, were read, and referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Conklin.

The petition of the president, directors and company of the New-Paltz ferry at Poughkeepsie, praying for an amendment of their charter, was read, and referred to the committee on the esta-

ishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Erie, praying for an amendment of the law relative to voting at town meetings, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to improve a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of the trustees of sundry cotton and woollen factories in the county of Otsego, against certain petitions and complaints of the injustice and oppression of said factories, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Wayne, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

Mr. Dayan, from the committee on the judiciary, to which was referred the petition of Henry Page and others, praying for the passage of an act confirming the official acts of Abram Harver, a justice of the peace, reported a bill, entitled "An act confirming the official acts of Abram Harver, a justice of the peace;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Dayan made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Dayan, and it was unanimously determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to appoint commissioners to lay out a road from Poughkeepsie to Pine-Plains in the county of Dutchess," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Moseley, from the committee on Indian affairs, to which was referred the petition of the Brothertown Indians, for sundry amendments of the law relative to said Indians, reported; and offered the following resolution:

[See Document No. 201.]



**Resolved,** That the committee on Indian affairs be discharged from the further consideration of the petition of the Brothertown Indians.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Patterson, from the select committee to which was referred the petition of Felix Tracy, asking for the passage of an act authorising him and his associates to build a dam and boat-lock in the Genesee river in the town of Leicester, reported; and asked leave to introduce a bill.

[*See Document No. 295.*]

**Ordered,** That leave be given to bring in such bill.

Mr. Patterson, according to leave, brought in the said bill, entitled "An act authorising Felix Tracy to erect a dam across the Genesee river;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Moseley, from the committee on Indian affairs, to which was referred the petition of Daniel Fowler, a Stockbridge Indian, for an act authorising him to sell his lands in the county of Oneida, reported; and asked leave to introduce a bill.

[*See Document No. 299.*]

**Ordered,** That leave be given to bring in such bill.

Mr. Moseley, according to leave, brought in the said bill, entitled "An act for the relief of Daniel Fowler;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Springer,

**Resolved,** That the committee of the whole be discharged from the further consideration of the engrossed bill from the Senate, entitled "An act authorising the corporation of the city of Troy to borrow money for the completion of their water-works," and that the same be ordered to a third reading.

**Ordered,** That the bill entitled "An act to provide for the payment of Jacob Trumbour for surveying the canals of this State," be the order of the day for the twenty-fourth of March instant.

**Ordered,** That the committee on rail-roads be discharged from the consideration of the petition of sundry inhabitants of the city of Troy, for a rail-road from said city to West-Stockbridge, and that the petitioners have leave to withdraw their petition.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act altering the name of Posteritas Pope Benton;" the engrossed bill entitled "An act confirming the official acts of Abram Harver, a justice of the peace;" the engrossed bill entitled "An act authorising Peter Pine of the county of Delaware, to take the oath of office as coroner of said county;" the engrossed bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary;" the engrossed bill entitled "An act to enclose a tract of woodland in the county of Rockland;" the engrossed bill entitled "An act relative to grants of land under water in the counties of Suffolk and Queens;" the engrossed bill entitled "An act to submit to the people of this State a certain amendment to the Constitution;" the engrossed bill entitled "An act to prevent the sale of strong or spirituous liquors to paupers;" the engrossed bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery," and the engrossed bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

And then the House adjourned until ten o'clock to-morrow morning.

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## WEDNESDAY, MARCH 18, 1835.

The House met pursuant to adjournment.

The memorial of the mayor, aldermen and commonalty of the city of Schenectady, praying for the passage of an act authorising the common council of said city to supply the same with water, was read, and referred to select committee, consisting of Mr. Ostrom, Mr. Beecher and Mr. Krum.

Three several petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a company to construct a rail-road from Attica to Buffalo, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Brighton in the county of Monroe, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the town of Fowler in the county of St. Lawrence, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Onondaga,



praying for an alteration of the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

The petition of sundry inhabitants of the county of Warren, praying for the incorporation of the Union Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Ringgold, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof;" the bill entitled "An act to continue the charter of the Lenox iron company;" the bill entitled "An act to incorporate the Kingston turnpike and rail-road company;" the bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county;" the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes;" the bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York;" the bill entitled "An act to amend the act to incorporate the Hamilton and Skaeateles turnpike company;" the bill entitled "An act to change the name of the seminary of the Genesee and Oneida conference, and for other purposes;" and the bill entitled "An act relative to the school connected with the almshouse of the city of New-York."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," be referred to a select committee, consisting of Mr. T. Lewis, Mr. Odell and Mr. Philo; that the bill entitled "An act to continue the charter of the Lenox iron company," be referred to a select committee, consisting of Mr. Brooks, Mr. Wager and Mr. Powers; that the bill entitled "An act to incorporate the Kingston turnpike and rail-road company," be referred to a select committee, consisting of Mr. Davis, Mr. Shafer and Mr. Van Bergen; that the bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county," be referred to a select committee, consisting of Mr. W. S. Paddock, Mr. A. Hascall and Mr. Van Bergen; that the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," be referred to a select committee, consisting of Mr. Hall, Mr. Wager and Mr. Ogden; that the bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York," be referred to a select committee, consisting of Mr. Wheeler, Mr. Carr and Mr. Hillyer; that the

bill entitled "An act to amend the act to incorporate the Hamilton and Skaneateles turnpike company," be referred to a select committee, consisting of Mr. Wilkinson, Mr. Hough and Mr. Wager; that the bill entitled "An act to change the name of the seminary of the Genesee and Oneida conference, and for other purposes," be referred to a select committee, consisting of Mr. T. Lewis, Mr. Hough and Mr. Wheeler; and that the bill entitled "An act relative to the school connected with the alms-house of the city of New-York," be referred to a select committee, consisting of Mr. Clinch, Mr. Lockwood and Mr. P. W. Paddock, to be by the said committees severally reported complete.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the engrossed bill from the Senate, entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the president, directors and company of the Poughkeepsie and New-Paltz Ferry Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend the act entitled 'An act establishing the Poughkeepsie and New-Paltz ferry company,' passed March 19th, 1819;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Westchester and Rockland, praying for authority to keep a ferry across the Hudson river, reported a bill, entitled "An act establishing and regulating a ferry across Hudson river, from the village of Peekskill in Westchester county, to Haverstraw in Rockland county;" which was read the first time, and by unanimous consent was also read a second time, and made the order of the day for the twenty-third of March.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of St. John Constant, praying for authority to continue the ferry from Colwell's landing to Peekskill, reported a bill, entitled "An act establishing and regulating a ferry across Hudson river, from Haverstraw in Rockland county, to Peekskill in Westchester county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Judd, from the committee on medical societies and colleges, to which was referred the memorial of the druggists of the city of Brooklyn, relative to licensing apothecaries in said city, reported

a bill, entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of New-York,' passed April 26th, 1832, to the city of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Denniston, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the city and county of Albany, praying for the incorporation of an insurance company, to be located in said city, reported a bill, entitled "An act to incorporate the Albany county mutual insurance company;" which was read the first time, and by unanimous consent was also read a second time, and made the order of the day for the twenty-third of March instant.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the counties of Westchester and Putnam, for a fire insurance company, to be located at Peekskill in the county of Westchester, reported a bill, entitled "An act to incorporate the Westchester and Putnam insurance company;" which was read the first time, and by unanimous consent was also read a second time, and made the order of the day for the twenty-third of March instant.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the directors of the East Creek Turnpike Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend the act entitled 'An act to incorporate the East creek turnpike company;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the president and directors of the Saugerties and Woodstock Turnpike Company, praying for an alteration of their charter, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Saugerties and Woodstock turnpike company,' passed April 21, 1828;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Harvey, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Sullivan, Manlius and Cicero in the county of Onondaga, praying for the passage of an act to annex a part of the said town of Sullivan to the towns of Cicero and Manlius, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilcoxson, from the select committee to which was referred the bill entitled "An act to regulate the taking and summoning of juries in justices' courts," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Brooks, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to continue the charter of the Lenox iron company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Jackson, from the select committee to which was referred the petition of Joseph B. Cheesman, for the passage of a law authorising him to erect a dock adjacent to his land in the town of North-Hempstead, Queens county, reported; and asked leave to introduce a bill.

[See Document No. 308.]

*Ordered,* That leave be given to bring in such bill.

Mr. Jackson, according to leave, brought in the said bill, entitled "An act to authorise Joseph B. Cheesman to build a dock in the town of North-Hempstead;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which was referred the petition of William L. Beard of the county of Tioga, praying for authority to purchase the right of the people of this State to a certain lot of land in said county, reported a bill, entitled "An act in relation to the public lands in the township of Chemung;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act

to incorporate the village of Canastota," and the engrossed bill entitled "An act to incorporate the village of Clyde in the county of Wayne," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

A communication from the Canal Commissioners was received and read, in the words following, to wit:

The Canal Commissioners, in obedience to a resolution of the Assembly, under date of the twenty-third ultimo, requesting them to report, at as early a day as conveniently may be, a statement shewing the average relative cost per mile of canals and rail-roads, the average relative expense annually of repairs and superintendence, and the average relative charges per ton or other given quantity for transportation; and also whether, in their opinion, any and what articles of produce, merchandize or manufacture, can or cannot, having a due regard to the saving of time as well as other circumstances, be more advantageously conveyed on rail-roads than by canals, with the reasons for their opinion, and such observations on the general subject of this resolution as they may deem appropriate to guide the action of the Legislature in reference thereto, respectfully report:

[See Document No. 296.]

*Ordered*, That the said report be laid upon the table.

Thereupon,

Mr. Moore made a motion that the House should agree to order four times the usual number of copies of the said report to be printed for the use of the Legislature, and one hundred copies for the use of the Canal Commissioners.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moore, and it was determined in the affirmative.

{ AYES 72 }  
{ NAYS 40 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Pettit
Mr. Baker	Mr. Hendee	Mr. Phillips
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Beecher	Mr. Hildreth	Mr. Preston
Mr. Brooks	Mr. Hiller	Mr. Rice
Mr. Burhans	Mr. Horton	Mr. Ringgold
Mr. Barnum	Mr. Hough	Mr. Roosevelt
Mr. Burr	Mr. Jackson	Mr. Shafer
Mr. Cadwell	Mr. King	Mr. Shepard
Mr. Carpenter	Mr. Krum	Mr. M. H. Sibley
Mr. Carr	Mr. J. W. Lewis	Mr. Speaker

Mr. A. Clark	Mr. T. Lewis	Mr. Springer
Mr. C. Clark	Mr. Livingston	Mr. Stetson
Mr. Clinch	Mr. Lockwood	Mr. Stevens
Mr. Conklin	Mr. Loomis	Mr. C. Strong
Mr. Crosby	Mr. Lytle	Mr. Tillinghast
Mr. Crowell	Mr. Mallory	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Kie	Mr. Wager
Mr. Dayan	Mr. Moore	Mr. Wetmore
Mr. Farwell	Mr. Murphy	Mr. Wilcoxson
Mr. Griswold	Mr. Odell	Mr. Wilkinson
Mr. Groom	Mr. P. W. Paddock	Mr. Williams
Mr. Hall	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Harvey	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Anthony	Mr. Fisher	Mr. Patterson
Mr. Benjamin	Mr. A. Hascall	Mr. Peck
Mr. Bennet	Mr. Hillyer	Mr. Philo
Mr. Blatchly	Mr. Hutchinson	Mr. Richmond
Mr. A. Brown	Mr. Ingersoll	Mr. Seger
Mr. G. Brown	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. E. Strong
Mr. Cash	Mr. Kent	Mr. Suffern
Mr. Coe	Mr. M'Cluer	Mr. Thorn
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Woodbury
Mr. Eldred	Mr. Palmer	Mr. W. Woodworth
Mr. Finch		

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And then the House adjourned until ten o'clock to-morrow morning.

## THURSDAY, MARCH 19, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of Palmyra in the county of Ontario, belonging to the First Baptist Society in said town, praying for the passage of an act authorising them to change the name of said society, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Cattaraugus, praying for a division of the town of Otto in said county, was read, and committed to the committee of the whole when on the bill upon that subject.



The petition of sundry inhabitants of the county of Broome, praying for the incorporation of a bank, to be located at Owego in the county of Tioga, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The memorial of the mayor, aldermen and commonalty of the city of New-York, in relation to the ferries between the said city and Brooklyn, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Fowler in the county of St. Lawrence, praying for a division of said town, together with a remonstrance against the same, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the counties of Clinton and Essex, praying for the incorporation of a mutual insurance company, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

Mr. Van Bergen, from the majority of the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of Allegany county, praying that Andrew C. Hull, George Mills, and others their associates, may be constituted a body corporate, by the name and style of the Angelica Academy, for the purpose of establishing a seminary of learning, reported a bill, entitled "An act to incorporate the Angelica academy and female seminary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which were referred the petition and remonstrance of inhabitants of the village of Lewiston, in relation to the sale of certain public lands, reported a bill, entitled "An act authorising the sale of certain lands in the village of Lewiston;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to regulate the taking and summoning of juries in justices' courts," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the report of the Canal Commissioners, relative to the improvement of the Cayuga inlet, reported a bill, entitled "An act to improve the inlet of the Cayuga lake;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the select committee to which was referred the petition of Richard Udall, asking for permission to erect a dock adjacent to his land in the town of North-Hempstead, Queens county, reported; and asked leave to introduce a bill.

[See Document No. 305.]

*Ordered*, That leave be given to bring in such bill.

Mr. Jackson, according to leave, brought in the said bill, entitled "An act to authorise Richard Udell to build a dock in the town of North-Hempstead;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act to change the name of the seminary of the Genesee and Oneida conference, and for other purposes;" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Braaher, from the select committee to which was referred the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes;" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Clinch, from the select committee to which was referred the bill entitled "An act relative to the school connected with the almshouse of the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Wheeler, from the select committee to which was referred the bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act further to amend the act to incorporate the Hamilton and Skaneateles turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.



Mr. W. S. Paddock, from the select committee to which was referred the bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. P. W. Paddock, from the select committee to which was referred the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crain, from the select committee to which was referred the bill entitled "An act authorising the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The engrossed bill entitled "An act confirming the official acts of Abram Harver, a justice of the peace," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. A. Clark gave notice that he would, on some future day, ask for leave to introduce a bill, authorising the appointment of a Supreme Court commissioner for the county of Orleans.

Mr. Barnum gave notice that he would, at some future time, ask leave to bring in a bill, to amend an act entitled "An act to incorporate the village of Waterloo in the county of Seneca."

*Ordered,* That Mr. Barnes have leave of absence for ten days, and Mr. W. Woodworth for six days.

Mr. Livingston gave notice that he should move a call of the House, to-morrow morning at eleven o'clock.

*Ordered,* That the bill entitled "An act authorising the building of a bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh," be made the order of the day for Tuesday next.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Groom; the same having been amended, was again read, in the words following, to wit:

*Resolved,* That this House will meet on the first day of April, and daily thereafter, until otherwise determined, except on Saturdays, to hold an afternoon session, commencing at four o'clock, for the purpose of acting on the general orders.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. D. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the House will hold an afternoon session this day, commencing at four o'clock P. M. for the purpose of third reading of bills.

*Ordered*, That the said resolution be laid upon the table.

Mr. Denniston offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the Canal Commissioners be instructed to cause a survey to be executed, of the route of a canal from a point on the Erie canal west of Schenectady, to Hudson's river below the overslaugh; and to report to the next Legislature the results of such survey, together with estimates of the cost of enlarging the present canal from Schenectady down the Mohawk to Albany, including an estimate for the damages for land and for water privileges, in case of such enlargement, and a statement of the difference of time and expense of navigating the present and the proposed route.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, entitled "An act for the relief of William M. Ireland," and that the same be ordered to a third reading.

Thereupon,

By the unanimous consent of the House, —

The said bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*; That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Livingston,

*Resolved*, That when this House adjourns, it will adjourn to meet again this afternoon at four o'clock, for the purpose of resolving itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties."

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act to amend the act entitled 'An act to amend chapter third, part first of the Revised Statutes, entitled 'Of the census and enumeration of the inhabitants of the State,' passed March 16th, 1835."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the select committee on so much of the Governor's message as relates to that subject.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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#### FRIDAY, MARCH 20, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Tioga, praying the aid of the State in the construction of the New-York and Erie rail-road, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Russel Parish of the county of Lewis, praying for an amendment of the Revised Statutes in relation to dower, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the town of Jersey in the county of Steuben, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Warren, praying for aid from the State in the construction of a road through said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Henry Thalhimer, praying for compensation for work alleged to have been done on the Erie canal, was read, and referred to the committee on claims.

The petition of Gershom Corwin, praying for the passage of an act authorising him to sell a certain lot of land, was read, and referred to a select committee, consisting of Mr. Crowell, Mr. Dayan and Mr. Parker.

The remonstrance of the president, directors and company of the Newtown and Bushwick turnpike road, against the petition of John Waters, for leave to build a bridge across the Newtown creek, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of the Second Reformed Protestant Dutch Church in the city of Schenectady, praying for an amendment of their charter, was read, and referred to the committee on the incorporation of charitable and religious societies.

The memorial of the common council of the city of New-York, praying that some provision may be made by the Legislature for the relief of the surviving soldiers of the revolution in this State, was read, and referred to the committee on the militia and public defence.

Three several petitions of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located at Attica in said county, were read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the town of Niagara in the county of Niagara, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The remonstrance of sundry inhabitants of the village of Lansingburgh, against the bill entitled "An act to incorporate the West-Troy and Waterford turnpike company" was read, and committed to the committee of the whole when on the bill to which it relates.

The petition of sundry inhabitants of the county of Rensselaer, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the village of Williamsburgh in the county of Queens, praying for an extension of the bounds of said village, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of William Truman of the city of Brooklyn, against the petition of Obadiah Jackson, for leave to build a wharf adjoining his land in said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Onondaga, praying for the reduction of the salaries of the officers having the charge of the salt springs in said county, was read, and referred

to a select committee, consisting of the members attending this House from the county of Onondaga.

Mr. Krum, from the committee on the judiciary, to which was referred the petitions of sundry inhabitants of the counties of Tompkins and Monroe, praying for an amendment of the excise law, reported a bill, entitled "An act to amend title nine, part one, chapter twenty of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the memorial of the Mohawk Bridge Company, complaining of the location of the eastern section of the Utica and Schenectady rail-road, and especially of the contemplated erection by the rail-road company of another bridge across the Mohawk river, in the vicinity of the bridge of the memorialists, reported; and asked leave to introduce a bill.

[See Document No. 303.]

*Ordered*, That leave be given to bring in such bill.

Mr. Roosevelt, according to leave, brought in the said bill, entitled "An act to define more clearly the powers of the Utica and Schenectady rail-road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Denniston, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of sundry inhabitants of the counties of Clinton and Essex, praying for the incorporation of an insurance company, to be located at Keeseville, reported a bill, entitled "An act to incorporate the Clinton and Essex mutual fire insurance company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the select committee to which was referred the memorial of the Central Asylum for the instruction of the deaf and dumb, having had the same under consideration, together with the report of the Superintendent of Common Schools on the education of the deaf and dumb, reported; and asked leave to introduce a bill.

[See Document No. 302.]

*Ordered*, That leave be given to bring in such bill.

Mr. Thorn, according to leave, brought in the said bill, entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M. H. Sibley, from the committee on claims, to which was referred the petition of E. Smith Sweet, for the payment of his

counsel fees and disbursement in two suits prosecuted by the State for recovering possession of its lands, reported; and asked leave to introduce a bill.

[See Document No. 307.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the payment of certain claims of E. Smith Sweet upon the State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the petition of the grand jury of the county of Albany, reported; and asked leave to introduce a bill.

[See Document No. 316.]

*Ordered*, That leave be given to bring in such bill.

Mr. Livingston, according to leave, brought in the said bill, entitled "An act repealing an act authorising the appointment of a justice of the peace for the fifth ward of the city of Albany, passed April 5th, 1828;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes;" the engrossed bill entitled "An act relative to the school connected with the alms-house of the city of New-York;" the engrossed bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York," and the engrossed bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The engrossed bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 84 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Beecher	Mr. J. Haskell	Mr. Philo
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Brasher	Mr. Hiller	Mr. Quackenboss
Mr. Brooks	Mr. Hough	Mr. Rice
Mr. Burhans	Mr. Ingersoll	Mr. Ringgold
Mr. Barnum	Mr. Jackson	Mr. Roosevelt
Mr. Cadwell	Mr. Jones	Mr. Seger
Mr. Carpenter	Mr. Judd	Mr. Shafer
Mr. Carr	Mr. Kent	Mr. Shepard
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Springer
Mr. J. Clark	Mr. Livingston	Mr. Stetson
Mr. Clinch	Mr. Lockwood	Mr. Stevens
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Conklin	Mr. Lytle	Mr. Thorn
Mr. Crain	Mr. Mallory	Mr. Tillinghast
Mr. Crary	Mr. Murphy	Mr. Van Bergen
Mr. Crosby	Mr. Odell	Mr. Wager
Mr. Crowell	Mr. Ogden	Mr. Wetmore
Mr. Cuykendall	Mr. Ostrom	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. Palmer	Mr. A. Woodworth
Mr. Finch	Mr. Parker	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Blatchly	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. M. H. Sibley
Mr. G. Brown	Mr. J. W. Lewis	Mr. Simmons
Mr. Burke	Mr. T. Lewis	Mr. C. Strong
Mr. Burr	Mr. M'Cluer	Mr. E. Strong
Mr. C. Clark	Mr. M'Kie	Mr. Tomlinson
Mr. Farwell	Mr. M'Neil	Mr. Tyrrel
Mr. Fisher	Mr. Moore	Mr. Waldron
Mr. A. Hascall	Mr. Niles	Mr. Williams
Mr. Hendee	Mr. Patterson	Mr. Woodbury
Mr. Hildreth	Mr. Richmond	Mr. Woodward
Mr. Hillyer		

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The engrossed bill entitled "An act relative to grants of land under water in the counties of Suffolk and Queens," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to enclose a tract of woodland in the county of Rockland," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising Peter Pine of the county of Delaware, to take the oath of office as coroner of said county," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to prevent the sale of strong or spirituous liquors to paupers," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act altering the name of Posteritas Pope Benton," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to submit to the people of this State a certain amendment to the Constitution," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act relative to the school connected with the alms-house of the city of New-York," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising the corporation of the city of Troy to borrow moneys for the completion of their water-works," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:



{ AYES 107 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Phillips
Mr. Anthony	Mr. Healy	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Hicks	Mr. Preston
Mr. Benjamin	Mr. Hildreth	Mr. Quackenboss
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Brasher	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Roosevelt
Mr. A. Brown	Mr. Hutchinson	Mr. Seger
Mr. G. Brown	Mr. Ingersoll	Mr. Shafer
Mr. Burke	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. D. Sibley
Mr. Burr	Mr. Kent	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Clinch	Mr. Lytle	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Conklin	Mr. M'Kie	Mr. Tillinghast
Mr. Crain	Mr. M'Neil	Mr. Tomlinson
Mr. Crary	Mr. Moore	Mr. Tyrrel
Mr. Crosby	Mr. Murphy	Mr. Van Bergen
Mr. Crowell	Mr. Niles	Mr. Wager
Mr. Cuykendall	Mr. Odell	Mr. Waldron
Mr. Dayan	Mr. Ogden	Mr. Wetmore
Mr. Denniston	Mr. Ostrom	Mr. Wheeler
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. Wylie
Mr. Harvey	Mr. Pettit	

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Those who voted in the negative are

Mr. Blatchly	Mr. Carr	Mr. J. Haskell	3
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*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the village of Canastota," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Phillips
Mr. Baker	Mr. Healy	Mr. Philo
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brasher	Mr. Hillyer	Mr. Ringgold
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. A. Brown	Mr. Hough	Mr. Shafer
Mr. G. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Burke	Mr. Jones	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Dayan	Mr. Odell	Mr. Wilcoxson
Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Woodward
Mr. Fisher	Mr. Patterson	Mr. A. Woodworth
Mr. Griswold	Mr. Peck	Mr. Wylie
Mr. Hall		

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Those who voted in the negative are

Mr. Carr	Mr. Hutchinson	Mr. Roosevelt
Mr. J. Haskell		

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The engrossed bill entitled "An act to incorporate the village of Clyde in the county of Wayne," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Hicks	Mr. Powers
Mr. Blatchly	Mr. Hildreth	Mr. Preston
Mr. Brasher	Mr. Hiller	Mr. Richmond
Mr. A. Brown	Mr. Hillyer	Mr. Ringgold
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shafer
Mr. Burke	Mr. Hutchinson	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. M. H. Sibley
Mr. Cadwell	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Conklin	Mr. Lytle	Mr. Thorn
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast
Mr. Crary	Mr. M'Kie	Mr. Tomlinson
Mr. Crosby	Mr. M'Neil	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Murphy	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. Wylie 99

Those who voted in the negative are

Mr. Carr	Mr. Mallory	Mr. Wetmore
Mr. J. Haskell	Mr. Ostrom	5

counsel fees and disbursement in two suits prosecuted by the State for recovering possession of its lands, reported; and asked leave to introduce a bill.

[See Document No. 307.]

*Ordered*, That leave be given to bring in such bill.

Mr. M. H. Sibley, according to leave, brought in the said bill, entitled "An act for the payment of certain claims of E. Smith Sweet upon the State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the select committee to which was referred the petition of the grand jury of the county of Albany, reported; and asked leave to introduce a bill.

[See Document No. 316.]

*Ordered*, That leave be given to bring in such bill.

Mr. Livingston, according to leave, brought in the said bill, entitled "An act repealing an act authorising the appointment of a justice of the peace for the fifth ward of the city of Albany, passed April 8th, 1828;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes;" the engrossed bill entitled "An act relative to the school connected with the alms-house of the city of New-York;" the engrossed bill entitled "An act to widen Avenue C. from Third-street to Fifteenth-street in the city of New-York," and the engrossed bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The engrossed bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 34 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Beecher	Mr. J. Haskell	Mr. Philo
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Brasher	Mr. Hiller	Mr. Quackenboss
Mr. Brooks	Mr. Hough	Mr. Rice
Mr. Burhans	Mr. Ingersoll	Mr. Ringgold
Mr. Barnum	Mr. Jackson	Mr. Roosevelt
Mr. Cadwell	Mr. Jones	Mr. Seger
Mr. Carpenter	Mr. Judd	Mr. Shafer
Mr. Carr	Mr. Kent	Mr. Shepard
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Springer
Mr. J. Clark	Mr. Livingston	Mr. Stetson
Mr. Clinch	Mr. Lockwood	Mr. Stevens
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Conklin	Mr. Lytle	Mr. Thorn
Mr. Crain	Mr. Mallory	Mr. Tillinghast
Mr. Crary	Mr. Murphy	Mr. Van Bergen
Mr. Crosby	Mr. Odell	Mr. Wager
Mr. Crowell	Mr. Ogden	Mr. Wetmore
Mr. Cuykendall	Mr. Ostrom	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. Palmer	Mr. A. Woodworth
Mr. Finch	Mr. Parker	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Blatchly	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. M. H. Sibley
Mr. G. Brown	Mr. J. W. Lewis	Mr. Simmons
Mr. Burke	Mr. T. Lewis	Mr. C. Strong
Mr. Burr	Mr. M'Cluer	Mr. E. Strong
Mr. C. Clark	Mr. M'Kie	Mr. Tomlinson
Mr. Farwell	Mr. M'Neil	Mr. Tyrrel
Mr. Fisher	Mr. Moore	Mr. Waldron
Mr. A. Hascall	Mr. Niles	Mr. Williams
Mr. Hendee	Mr. Patterson	Mr. Woodbury
Mr. Hildreth	Mr. Richmond	Mr. Woodward
Mr. Hillyer		

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of land, was read, and referred to a select committee, consisting of the members attending this House from the county of Monroe.

The petition of sundry inhabitants of the town of Buffalo, praying for the passage of an act authorising a tax on said town, to build a bridge across Buffalo creek on the Indian reservation in said town, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Aurora in the county of Erie, praying for an act of incorporation, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the town of Jersey in the county of Steuben, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from Abbott's corners to the city of Buffalo in said county, was read, and referred to the committee on rail-roads.

The memorial and remonstrance of Gertrude Cutting, relative to the Fulton ferry in the city of New-York, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Monroe, praying for an amendment of the excise law, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. G. Brown and Mr. Crain.

The petition of sundry inhabitants of the counties of Clinton and Essex, praying for the incorporation of the Keeseville Academy, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a company to construct a turnpike road from the village of Bainbridge to the Chenango canal, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The memorial and affidavits of sundry inhabitants of the county of Onondaga, in support of the petition of Adonijah Carter for relief, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the stockholders of the Cornwall and New-Windsor Turnpike Company, praying for leave to abandon a part of their road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Erie, praying for an alteration in the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.

{ AYES 107 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Phillips
Mr. Anthony	Mr. Healy	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Hicks	Mr. Preston
Mr. Benjamin	Mr. Hildreth	Mr. Quackenboss
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Brasher	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Roosevelt
Mr. A. Brown	Mr. Hutchinson	Mr. Seger
Mr. G. Brown	Mr. Ingersoll	Mr. Shafer
Mr. Burke	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. D. Sibley
Mr. Burr	Mr. Kent	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Clinch	Mr. Lytle	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Conklin	Mr. M'Kie	Mr. Tillinghast
Mr. Crain	Mr. M'Neil	Mr. Tomlinson
Mr. Crary	Mr. Moore	Mr. Tyrrel
Mr. Crosby	Mr. Murphy	Mr. Van Bergen
Mr. Crowell	Mr. Niles	Mr. Wager
Mr. Cuykendall	Mr. Odell	Mr. Waldron
Mr. Dayan	Mr. Ogden	Mr. Wetmore
Mr. Denniston	Mr. Ostrom	Mr. Wheeler
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. Wylie
Mr. Harvey	Mr. Pettit	

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Those who voted in the negative are

Mr. Blatchly	Mr. Carr	Mr. J. Haskell	3
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*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the village of Canastota," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Phillips
Mr. Baker	Mr. Healy	Mr. Philo
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brasher	Mr. Hillyer	Mr. Ringgold
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. A. Brown	Mr. Hough	Mr. Shafer
Mr. G. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Burke	Mr. Jones	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Dayan	Mr. Odell	Mr. Wilcoxson
Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Woodward
Mr. Fisher	Mr. Patterson	Mr. A. Woodworth
Mr. Griswold	Mr. Peck	Mr. Wylie
Mr. Hall		

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Those who voted in the negative are

Mr. Carr	Mr. Hutchinson	Mr. Roosevelt
Mr. J. Haskell		

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The engrossed bill entitled "An act to incorporate the village of Clyde in the county of Wayne," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Hicks	Mr. Powers
Mr. Blatchly	Mr. Hildreth	Mr. Preston
Mr. Brasher	Mr. Hiller	Mr. Richmond
Mr. A. Brown	Mr. Hillyer	Mr. Ringgold
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shafer
Mr. Burke	Mr. Hutchinson	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. M. H. Sibley
Mr. Cadwell	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Conklin	Mr. Lytle	Mr. Thorn
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast
Mr. Crary	Mr. M'Kie	Mr. Tomlinson
Mr. Crosby	Mr. M'Neil	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Murphy	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. Wylie 99

Those who voted in the negative are

Mr. Carr	Mr. Mallory	Mr. Wetmore
Mr. J. Haskell	Mr. Ostrom	5

**Ordered,** That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

**Ordered,** That the committee on the judiciary be discharged from the consideration of the petition of Orlando Allen, relative to his appointment as pawnbroker in the city of Buffalo; and that the petitioner have leave to withdraw his petition.

The engrossed bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,'" was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The annual report of George P. Hudson, an inspector of sole leather in the county of Chenango, was received and read.

[See Document No. 328.]

**Ordered,** That the said report be referred to the committee on trade and manufactures.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act further to amend the act to incorporate the Hamilton and Skaneateles turnpike company;" the engrossed bill entitled "An act repealing an act authorising the appointment of a justice of the peace for the fifth ward of the city of Albany, passed April 5th, 1828;" the engrossed bill entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes;" and the engrossed bill entitled "An act to change the name of the Genesee and Oneida conferences, and for other purposes;" and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. Wylie gave notice that he would, at some future day, ask leave to introduce a bill to amend an act to incorporate the village of Palmyra in the county of Wayne, passed March 29th, 1827, and the several acts amending the same.

In pursuance of previous notice, Mr. A. Clark asked for and obtained leave to bring in a bill, entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. A. Clark, Mr. Hall and Mr. Crain, to report complete.

**Ordered,** That the committee of the whole be discharged from the consideration of the bill entitled "An act establishing and regulating a ferry across Hudson river, from Haverstraw in Rockland county, to Peekskill in Westchester county;" and the bill entitled "An act establishing and regulating a ferry across Hudson river, from the village of Peekskill in Westchester county, to Haverstraw in Rockland county;" and that the said bills be ordered to be engrossed.

On motion of Mr. Hall,

*Resolved*, That the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," be recommitted to the select committee to which the same was referred from the committee of nine.

On motion of Mr. J. Haskell,

*Resolved*, That the Attorney-General be requested to report to this House, whether, in his opinion, the Legislature of this State can, with the concurrence of the common council of the city of New-York, grant to any private individuals, or to a company, the exclusive right of any portion of the public streets of that city, for the purpose of collecting tolls thereon, without an infringement of the rights secured to every citizen by the charter of that city.

On motion of Mr. Wager,

*Resolved*, That when this House adjourns, it will adjourn to meet again this afternoon at four o'clock, for the purpose of going into committee of the whole upon the unfinished business of yesterday.

Mr. Fisher offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote on the question of the final passage of the bill relating to equalizing the wards in the city of Albany, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to aid and expedite the construction of a rail-road from Lake Erie to the city of New-York, through the southern tier of counties;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported, that the committee had disagreed to the first section of the said bill; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Wager made a motion that the House should agree to recommit the said bill to a committee of the whole house.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wager, and it was determined in the affirmative.

{ AYES 63 }  
{ NAYS 48 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Hicks	Mr. Pettit
Mr. Beecher	Mr. Hiller	Mr. Phillips
Mr. Benjamin	Mr. Hillyer	Mr. Philo
Mr. Brooks	Mr. Horton	Mr. Powers
Mr. A. Brown	Mr. Hough	Mr. Preston
Mr. Barnum	Mr. Jackson	Mr. Richmond
Mr. Cadwell	Mr. King	Mr. Ringgold
Mr. Carpenter	Mr. Krum	Mr. Seger
Mr. Carr	Mr. T. Lewis	Mr. Shafer
Mr. A. Clark	Mr. Lockwood	Mr. Shepard
Mr. Clinch	Mr. Loomis	Mr. Stetson
Mr. Conklin	Mr. Lytle	Mr. Stevens
Mr. Crain	Mr. M'Kie	Mr. Tillinghast
Mr. Crosby	Mr. Moore	Mr. Tyrrel
Mr. Crowell	Mr. Murphy	Mr. Van Bergen
Mr. Cuykendall	Mr. Odell	Mr. Wager
Mr. Dayan	Mr. Ostrom	Mr. Waldron
Mr. Griswold	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Groom	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Harvey	Mr. Palmer	Mr. A. Woodworth
Mr. J. Haskell	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Anthony	Mr. Finch	Mr. Patterson
Mr. Baker	Mr. Fisher	Mr. Peck
Mr. Bennet	Mr. Hall	Mr. Quackenboss
Mr. Blatchly	Mr. A. Hascall	Mr. Roosevelt
Mr. G. Brown	Mr. Healy	Mr. D. Sibley
Mr. Burhans	Mr. Hendee	Mr. M. H. Sibley
Mr. Burke	Mr. Hildreth	Mr. Simmons
Mr. Burr	Mr. Hutchinson	Mr. Speaker
Mr. Cash	Mr. Ingersoll	Mr. C. Strong
Mr. C. Clark	Mr. Jones	Mr. E. Strong
Mr. J. Clark	Mr. Livingston	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Cluer	Mr. Wetmore
Mr. Denniston	Mr. M'Neil	Mr. Williams
Mr. Eldred	Mr. Niles	Mr. Woodbury
Mr. Farwell	Mr. Ogden	Mr. Woodward

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Thereupon,

The House then again resolved itself into a committee of the whole, on the said bill; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Murphy, from the said committee, reported, that the committee had disagreed to the enacting clause of the said bill; which he was directed to report to the

House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Ogden made a motion that the House should agree to amend the report of the committee of the whole, by restoring the enacting clause of the said bill, and inserting the following as an amendment to the first section of the said bill, after the word "have," where it occurs in the second section thereof:

"Constructed and completed a good and substantial rail-road, with a single track, from a point on the Delaware and Hudson canal, to a point in the county of Broome, which shall be as far west as the village of Binghamton, the comptroller of this State shall issue and deliver to the said company, special certificates of stock to the amount of five hundred thousand dollars, bearing an interest of four and a half per cent per annum, payable quarter-yearly; and when the said company shall in like manner have constructed and completed a rail-road with a single track, from the point last aforesaid to a point in the county of Tioga, which shall be as far west as the village of Elmira, the comptroller shall issue and deliver to the said company, special certificates of stock in the further sum of five hundred thousand dollars, bearing the like interest, and payable as aforesaid; and when the said company shall in like manner have constructed and completed a rail-road with a single track, from the point last aforesaid to a point in the county of Cattaraugus, which shall be as far west as the village of Olean, the comptroller shall issue and deliver to the said company, special certificates of stock in the further sum of five hundred thousand dollars, bearing the like interest, and payable as aforesaid; and when the said company shall in like manner have constructed and completed a rail-road with a single track, from the point last aforesaid to Lake Erie, the comptroller shall issue and deliver to the said company, special certificates of stock in the further sum of five hundred thousand dollars, bearing the like interest, and payable as aforesaid; provided the comptroller shall be satisfied that the said road will afford sufficient security to indemnify the State."

Thereupon,

The question being divided,

Mr. Speaker put the question whether the House would agree to amend the report of the committee of the whole, by restoring the enacting clause of the said bill, and it was determined in the negative,

{ NAYS 61 }  
{ AYES 47 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams  
Mr. Beecher

Mr. Horton  
Mr. Hough

Mr. Phillips  
Mr. Philo

Mr. Benjamin	Mr. Jackson	Mr. Powers
Mr. Brooks	Mr. King	Mr. Preston
Mr. Barnum	Mr. Krum	Mr. Richmond
Mr. Cadwell	Mr. T. Lewis	Mr. Ringgold
Mr. Carpenter	Mr. Livingston	Mr. Seger
Mr. Carr	Mr. Lockwood	Mr. Shafer
Mr. Clinch	Mr. Loomis	Mr. Shepard
Mr. Conklin	Mr. Lytle	Mr. Springer
Mr. Crain	Mr. M'Kie	Mr. Stetson
Mr. Crosby	Mr. Moore	Mr. Stevens
Mr. Crowell	Mr. Murphy	Mr. Tillinghast
Mr. Cuykendahl	Mr. Odell	Mr. Van Bergen
Mr. Dayan	Mr. Ostrom	Mr. Wager
Mr. Griswold	Mr. P. W. Paddock	Mr. Waldron
Mr. Groom	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Harvey	Mr. Palmer	Mr. Wilkinson
Mr. J. Haskell	Mr. Parker	Mr. A. Woodworth
Mr. Hicks	Mr. Pettit	Mr. Wylie
Mr. Hiller		

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Those who voted in the affirmative are

Mr. Anthony	Mr. Eldred	Mr. Ogden
Mr. Baker	Mr. Farwell	Mr. Patterson
Mr. Bennet	Mr. Finch	Mr. Peck
Mr. Blatchly	Mr. Fisher	Mr. Roosevelt
Mr. A. Brown	Mr. Hall	Mr. D. Sibley
Mr. G. Brown	Mr. A. Hascall	Mr. M. H. Sibley
Mr. Burhans	Mr. Healy	Mr. Speaker
Mr. Burke	Mr. Hendee	Mr. C. Strong
Mr. Burr	Mr. Hildreth	Mr. E. Strong
Mr. Cash	Mr. Hutchinson	Mr. Suffern
Mr. A. Clark	Mr. Ingersoll	Mr. Tyrrel
Mr. E. Clark	Mr. Jones	Mr. Wetmore
Mr. J. Clark	Mr. Mallory	Mr. Williams
Mr. Coe	Mr. M'Cluer	Mr. Woodbury
Mr. Crary	Mr. M'Neil	Mr. Woodward
Mr. Denniston	Mr. Niles	

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Thereupon,

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 61 }  
{ NAYS 46 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Hough	Mr. Philo
Mr. Beecher	Mr. Jackson	Mr. Powers
Mr. Benjamin	Mr. King	Mr. Preston
Mr. Brooks	Mr. Krum	Mr. Richmond
Mr. Barnum	Mr. T. Lewis	Mr. Ringgold
Mr. Cadwell	Mr. Livingston	Mr. Seger
Mr. Carpenter	Mr. Lockwood	Mr. Shafer
Mr. Carr	Mr. Loomis	Mr. Shepard
Mr. Clinch	Mr. Lytle	Mr. D. Sibley
Mr. Conklin	Mr. M'Kie	Mr. Springer
Mr. Crosby	Mr. Moore	Mr. Stetson
Mr. Crowell	Mr. Murphy	Mr. Stevens
Mr. Cuykendall	Mr. Odell	Mr. Tillinghast
Mr. Dayan	Mr. Ostrom	Mr. Van Bergen
Mr. Griswold	Mr. P. W. Paddock	Mr. Wager
Mr. Groom	Mr. W. S. Paddock	Mr. Waldron
Mr. Harvey	Mr. Palmer	Mr. Wilcoxson
Mr. J. Haskell	Mr. Parker	Mr. Wilkinson
Mr. Hicks	Mr. Pettit	Mr. A. Woodworth
Mr. Hiller	Mr. Phillips	Mr. Wylie
Mr. Horton		

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Those who voted in the negative are

Mr. Anthony	Mr. Eldred	Mr. Niles
Mr. Baker	Mr. Farwell	Mr. Ogden
Mr. Bennet	Mr. Finch	Mr. Patterson
Mr. Blatchly	Mr. Fisher	Mr. Peck
Mr. A. Brown	Mr. Hall	Mr. Roosevelt
Mr. G. Brown	Mr. A. Hascall	Mr. M. H. Sibley
Mr. Burhans	Mr. Healy	Mr. Speaker
Mr. Burr	Mr. Hendee	Mr. C. Strong
Mr. Cash	Mr. Hildreth	Mr. E. Strong
Mr. A. Clark	Mr. Hutchinson	Mr. Suffern
Mr. C. Clark	Mr. Ingersoll	Mr. Tyrrel
Mr. J. Clark	Mr. Jones	Mr. Wetmore
Mr. Coe	Mr. Mallory	Mr. Williams
Mr. Crain	Mr. M'Cluer	Mr. Woodbury
Mr. Crary	Mr. M'Neil	Mr. Woodward
Mr. Denniston		

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And then the House adjourned until ten o'clock to-morrow morning.

  
**SATURDAY, MARCH 21, 1835.**

**The House met pursuant to adjournment.**

Four several petitions of sundry inhabitants of the counties of Saratoga and Washington, praying for the construction of a rail-road from Mechanicsville in the county of Saratoga, to Fort Edward in the county of Washington, were read, and referred to the committee on rail-roads.

The memorial of sundry inhabitants of the county of Onondaga, praying for the incorporation of the Mechanics' Literary Association, was read, and referred to the committee on colleges, academies and common schools.

The memorial of the common council of the city of Utica, praying for the passage of an act authorising the raising of money by tax, to defray the expense of the alteration of the termination of the Chenango canal, was read, and referred to a select committee, consisting of Mr. Shepard, Mr. Dayan and Mr. Crain.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located at Attica in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the city of Albany, against the repeal of the law authorising the appointment of a justice of the peace for the fifth ward of said city, was read, and ordered to be laid upon the table.

The petition of sundry inhabitants of the county of Queens, praying for the passage of an act authorising the laying out of public landing places in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Essex, against the construction of a road from Whitehall in the county of Washington, to Port Henry in the county of Essex, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Livingston, praying for the incorporation of the Avon Academy in said county, was read, and referred to the committee on colleges, academies and common schools.

The remonstrance of sundry inhabitants of the county of Chautauque, against the proposed loan to finish the court-house in said county, was read, and referred to the select committee on that subject, of which Mr. M'Cluer is chairman.



The petition of sundry inhabitants of the county of St. Lawrence, praying for a division of the town of Fowler in said county, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Clinton, praying for the passage of an act extending the time for receiving subscriptions to the capital stock of the Plattsburgh Manufacturing Company, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the county of Orleans, praying for the incorporation of a company to construct a rail-road from Medina in said county, to the mouth of the Oak-orchard creek, was read, and referred to the committee on rail-roads.

The remonstrance of sundry inhabitants of the county of Essex, against the incorporation of the Union Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Wayne, praying for the incorporation of a company to construct a rail-road from Lockport to Batavia, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of the village of Williamsburgh, praying for an extension of the bounds of said village, reported a bill, entitled "An act to amend an act, entitled 'An act to incorporate the village of Williamsburgh;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the committee on the militia and public defence, to which was referred the petition of the Albany Burgesses Corps, praying for an act of incorporation, reported a bill, entitled "An act to amend an act in relation to the Albany Burgesses corps, passed May 6th, 1834;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Crain made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Crain, and it was unanimously determined in the affirmative.

Mr. Adams, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to amend chapter third, part first of the Revised Statutes, entitled 'Of the census and enumeration of the inhabitants of the State,' ' passed March 16th, 1835,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Thereupon,

By the unanimous consent of the House,

The said bill was read the third time.

Resolved, That the bill do pass.

Ordered, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Thora, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of sundry inhabitants of the county of Ontario, praying for authority to change the name of the First Baptist Society in Palmyra in the county of Ontario, to the First Baptist Society in Macedon in the county of Wayne, reported a bill, entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the commissioners of highways of the town of Groveland in the county of Livingston, praying for authority to raise money to build a bridge over the Canasaraga creek, reported a bill, entitled "An act authorising the supervisors of the county of Livingston to raise money to build a bridge in said county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. A. Clark, from the select committee to which was referred the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

Ordered, That the bill be engrossed.

Mr. T. Lewis, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the amendment ordered to be engrossed, and the bill ordered to a third reading.

The engrossed bill entitled "An act to change the name of the Genesee and Oneida conferences, and for other purposes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
 { NAYS 63 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Harvey	Mr. Peck
Mr. Baker	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. Hendee	Mr. Phillips
Mr. Benjamin	Mr. Hildreth	Mr. Powers
Mr. Bennet	Mr. Hiller	Mr. Preston
Mr. Blatchly	Mr. Hillyer	Mr. Quackenboss
Mr. Brasher	Mr. Hough	Mr. Richmond
Mr. Brooks	Mr. Ingersoll	Mr. Ringgold
Mr. A. Brown	Mr. Jackson	Mr. Roosevelt
Mr. G. Brown	Mr. Jones	Mr. Shafer
Mr. Barnum	Mr. King	Mr. Shepard
Mr. Burr	Mr. Krum	Mr. D. Sibley
Mr. Cadwell	Mr. J. W. Lewis	Mr. M. H. Sibley
Mr. Carpenter	Mr. T. Lewis	Mr. Simmons
Mr. Cash	Mr. Livingston	Mr. Speaker
Mr. A. Clark	Mr. Lockwood	Mr. Springer
Mr. C. Clark	Mr. Loomis	Mr. Stetson
Mr. Coe	Mr. Lytle	Mr. E. Strong
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast
Mr. Crary	Mr. M'Kie	Mr. Tomlinson
Mr. Crosby	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Dayan	Mr. Murphy	Mr. Wager
Mr. Denniston	Mr. Niles	Mr. Waldron
Mr. Eldred	Mr. Odell	Mr. Wetmore
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. Wylie 93

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Hutchinson 3
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*Ordered,* That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to continue the charter of the Lenox iron company," was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 75 }  
{ NAYS 23 }

Those who voted in the affirmative are

Mr. Baker	Mr. Harvey	Mr. Palmer
Mr. Beecher	Mr. A. Hascall	Mr. Parker
Mr. Benjamin	Mr. Hendee	Mr. Patterson
Mr. Blatchly	Mr. Hicks	Mr. Peck
Mr. Brasher	Mr. Hildreth	Mr. Pettit
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Richmond
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Cadwell	Mr. Hutchinson	Mr. Shepard
Mr. A. Clark	Mr. Jones	Mr. D. Sibley
Mr. C. Clark	Mr. Krum	Mr. M. H. Sibley
Mr. J. Clark	Mr. J. W. Lewis	Mr. Simmons
Mr. Conklin	Mr. T. Lewis	Mr. Speaker
Mr. Crain	Mr. Livingston	Mr. Stetson
Mr. Crary	Mr. Loomis	Mr. E. Strong
Mr. Crosby	Mr. Lytle	Mr. Suffern
Mr. Crowell	Mr. Mallory	Mr. Thorn
Mr. Dayan	Mr. M'Cluer	Mr. Tomlinson
Mr. Denniston	Mr. M'Kie	Mr. Tyrrel
Mr. Eldred	Mr. M'Neil	Mr. Van Bergen
Mr. Farwell	Mr. Moore	Mr. Wager
Mr. Finch	Mr. Murphy	Mr. Waldron
Mr. Fisher	Mr. Niles	Mr. Wilcoxson
Mr. Griswold	Mr. Odell	Mr. Wilkinson
Mr. Groom	Mr. P. W. Paddock	Mr. Wylie

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Those who voted in the negative are

Mr. Adams	Mr. Coe	Mr. Powers
Mr. Anthony	Mr. Cuykendall	Mr. Ringgold
Mr. Bennet	Mr. J. Haskell	Mr. Roosevelt
Mr. A. Brown	Mr. Ingersoll	Mr. Tillinghast
Mr. Carpenter	Mr. King	Mr. Wetmore
Mr. Carr	Mr. Lockwood	Mr. Woodward
Mr. Cash	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Clinch	Mr. Phillips	

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**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have rejected the same.

The engrossed bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to regulate the taking and summoning of juries in justices' courts," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act repealing an act authorising the appointment of a justice of the peace for the fifth ward of the city of Albany, passed April 5th, 1828," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act establishing and regulating a ferry across Hudson river, from Haverstraw in Rockland county, to Peekskill in Westchester county;" and the engrossed bill entitled "An act establishing and regulating a ferry across Hudson river, from the village of Peekskill in Westchester county, to Haverstraw in Rockland county;" and find the said bills severally correctly engrossed.

Thereupon,

*Ordered*, That the said several bills be referred to a select committee, consisting of Mr. Patterson, Mr. D. Sibley and Mr. Lockwood, to consider and report thereon.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

Mr. King gave notice that he would, on some future day, ask leave to introduce a bill to raise by tax two hundred and fifty dollars, on the town of Oswegatchie, to build a bridge.

Mr. Groom gave notice that he would, on some future day, ask leave to introduce a bill to incorporate the Shamrock Benevolent Association of the State of New-York.

On motion of Mr. Wilcoxson,

*Resolved*, That the engrossed bill from the Senate, entitled "An act to revive and continue the act to incorporate the Sodus canal company, passed March 19th, 1829," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Wilcoxson, Mr. Benjamin and Mr. Hildroth, be the said committee.

*Ordered*, That Mr. Burhans and Mr. Herttell have leave of ab-

sence for ten days each, Mr. Burke and Mr. Denniston for seven days each, Mr. Horton for six days, Mr. Judd for eight days, Mr. Tillinghast for twelve days, and Mr. Wheeler for three days.

Mr. Wetmore offered for the consideration of the House, a resolution with a recital, in the words following, to wit:

Whereas by a law of the Legislature, passed on the sixth of May 1854, it became the duty of the Governor of this State, to appoint a competent and experienced engineer, to explore and survey a route for a rail-road, commencing at the city of New-York, or at such point in its vicinity as should be deemed most eligible and convenient, and to continue such survey through the southern tier of the counties of this State, by the way of Owego in the county of Tioga, to the shore of Lake Erie, at some eligible point between the Cattaraugus creek and the Pennsylvania line:

And whereas the duties devolving upon the engineer appointed under the provisions of the said law, have been fulfilled by an exploration and survey of the route designated; and the result having been communicated to the Legislature in a report from Benjamin Wright, by which it appears that such a road is practicable, and can be constructed at a reasonable expense:

Therefore,

*Resolved*, That the committee on rail-roads be instructed to prepare and report a bill, to provide for the construction by the State, of a rail-road from the city of New-York to Lake Erie.

*Ordered*, That the said resolution be laid upon the table.

Mr. A. Woodworth offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote on the bill to continue the charter of the Lenox Iron Company, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That a select committee be, and they are hereby instructed to prepare and report a general bill for the organization and government of villages in this State.

*Ordered*, That the said resolution be laid upon the table.

In pursuance of previous notice, Mr. Wylie asked for and obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Palmyra in the county of Wayne,' passed March 29th, 1827, and the several acts amending the same;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. M. H. Sibley,

*Resolved*, That on and after Monday next, this House will meet at four o'clock in the afternoon, for the purpose of considering bills relating to private claims.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from

the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Stevens made a motion that the House should agree to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stevens, and it was determined in the negative.

{ NAYS 40 }  
 { AYES 39 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Eldred	Mr. Patterson
Mr. Baker	Mr. Farwell	Mr. Pettit
Mr. Beecher	Mr. Finch	Mr. Powers
Mr. Bennet	Mr. Hall	Mr. Ringgold
Mr. Brasher	Mr. J. Haskell	Mr. Roosevelt
Mr. A. Brown	Mr. Hicks	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. Stetson
Mr. Carpenter	Mr. King	Mr. Tillinghast
Mr. Cash	Mr. Krum	Mr. Tyrrel
Mr. C. Clark	Mr. Livingston	Mr. Wager
Mr. Clinch	Mr. M'Kie	Mr. Wetmore
Mr. Crary	Mr. Odell	Mr. Wilkinson
Mr. Crowell	Mr. W. S. Paddock	Mr. Wylie
Mr. Cuykendall		

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Those who voted in the affirmative are

Mr. G. Brown	Mr. Hendee	Mr. Preston
Mr. Burr	Mr. Hildreth	Mr. Richmond
Mr. Cadwell	Mr. Hutchinson	Mr. D. Sibley
Mr. A. Clark	Mr. Ingersoll	Mr. M. H. Sibley
Mr. J. Clark	Mr. Lockwood	Mr. Simmons
Mr. Coe	Mr. Lytle	Mr. Stevens
Mr. Crain	Mr. Mallory	Mr. E. Strong
Mr. Crosby	Mr. M'Neil	Mr. Suffern
Mr. Dayan	Mr. Moore	Mr. Thorn
Mr. Fisher	Mr. Murphy	Mr. Tomlinson
Mr. Griswold	Mr. Niles	Mr. Van Bergen
Mr. Groom	Mr. Parker	Mr. Waldron
Mr. A. Hascall	Mr. Peck	Mr. A. Woodworth 39

Thereupon,

Mr. Cadwell made a motion that the House should agree to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cadwell, and it was determined in the affirmative.



{ AYES 43 }  
 { NAYS 41 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. G. Brown	Mr. A. Hascall	Mr. Peck
Mr. Burr	Mr. Healy	Mr. Phillips
Mr. Cadwell	Mr. Hildreth	Mr. Preston
Mr. A. Clark	Mr. Hutchinson	Mr. Richmond
Mr. J. Clark	Mr. Ingersoll	Mr. D. Sibley
Mr. Coe	Mr. Lockwood	Mr. Simmons
Mr. Conklin	Mr. Loomis	Mr. Stevens
Mr. Crain	Mr. Lytle	Mr. E. Strong
Mr. Crosby	Mr. Mallory	Mr. Suffern
Mr. Dayan	Mr. M'Neil	Mr. Tomlinson
Mr. Eldred	Mr. Moore	Mr. Van Bergen
Mr. Finch	Mr. Murphy	Mr. Waldron
Mr. Fisher	Mr. Niles	Mr. Wilcoxson
Mr. Griswold	Mr. Parker	Mr. A. Woodworth
Mr. Groom		

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Those who voted in the negative are

Mr. Adams	Mr. Hall	Mr. Powers
Mr. Baker	Mr. J. Haskell	Mr. Ringgold
Mr. Beecher	Mr. Hendee	Mr. Roosevelt
Mr. Bennet	Mr. Hicks	Mr. Shepard
Mr. A. Brown	Mr. Hiller	Mr. M. H. Sibley
Mr. Barnum	Mr. Hough	Mr. Stetson
Mr. Carpenter	Mr. King	Mr. Thorn
Mr. Cash	Mr. Krum	Mr. Tillinghast
Mr. C. Clark	Mr. T. Lewis	Mr. Tyrrel
Mr. Clinch	Mr. Livingston	Mr. Wager
Mr. Crary	Mr. Odell	Mr. Wetmore
Mr. Crowell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Cuykendall	Mr. Patterson	Mr. Wylie
Mr. Farwell	Mr. Pettit	

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And then the House adjourned until ten o'clock on Monday morning next.



## MONDAY, MARCH 23, 1835.

The House met pursuant to adjournment.

Two several remonstrances of sundry inhabitants of the county of Dutchess, against the passage of an act to appoint commissioners to lay out a road from the village of Pine-Plains to the village of Poughkeepsie, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the city of Albany, against the passage of an act regulating the wards of the said city, was read, and ordered to be laid upon the table.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from the city of Rochester to the village of Lockport, was read, and referred to the committee on rail-roads.

Four several petitions of sundry inhabitants of the county of Niagara, praying for the passage of an act authorising a survey and estimate of the expense of improving the Erie canal from the Niagara river to Lockport, so as to make it navigable for large vessels, and also of a ship canal from Lockport to Lake Ontario, were read, and referred to the committee on canals and internal improvements.

The petition of sundry inhabitants of the county of Kings, praying for the establishment of additional ferries between the cities of Brooklyn and New-York, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Stephen Van Rensselaer and others, praying for the incorporation of the New-York State Agricultural School, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Genesee, praying for the incorporation of a bank, to be located at Le Roy in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of the trustees of the First Congregational Society in the town of China in the county of Genesee, praying for the passage of an act authorising them to sell and convey certain real estate, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Montgomery, praying for a repeal of the act abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Livingston, from the committee on the judiciary, to which was referred the petitions of sundry inhabitants, relative to oppressive practices in certain manufacturing establishments, together

with the report of the committee on trade and manufactures thereon, reported a bill, entitled "An act relative to manufacturing incorporations in this State;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the Albany and Greene County Turnpike Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend an act entitled 'An act to establish a corporation for improving and making a road from the town of Bethlehem in the county of Albany, to the town of Catskill in the county of Greene,' passed April 7th, 1806;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Patterson, from the select committee to which was referred the bill authorising Ward Hunter to keep and maintain a ferry across the Hudson river between Westchester and Rockland, and also a bill to authorise Samuel W. Barr to keep and maintain a ferry at the same place, reported:

[See Document No. 313.]

*Ordered*, That the said report and bills be laid upon the table.

Mr. Phillips, from the select committee to which was referred the petition of James E. De Kay and Daniel Fleet, for permission to erect a wharf or pier upon lands belonging to them in the town of Oysterbay, reported; and asked leave to introduce a bill.

*Ordered*, That leave be given to bring in such bill.

Mr. Phillips, according to leave, brought in the said bill, entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Clarkson and Sweden M'Adam turnpike company."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to consider and report thereon.

A communication from the Superintendent of Common Schools, was received and read, in the words following, to wit:

The Superintendent of Common Schools, in obedience to the resolution of the Assembly of the eleventh instant, requesting him to report during the present session, whether or not, in his opinion, it is advisable so to amend the law relating to common schools, as to provide for the payment of the school bills of indigent persons, by a tax on the taxable property in the respective school districts, respectfully reports:

[See Document No. 317.]

**Ordered,** That the said report be referred to the committee on colleges, academies and common schools.

A communication from N. Williams, clerk of the Supreme Court at Geneva, was received and read.

*[See Document No. 311.]*

**Ordered,** That the said communication be laid upon the table.

A communication from J. L. Woods, clerk of the Court of Chancery for the sixth circuit, was received and read.

*[See Document No. 309.]*

**Ordered,** That the said communication be laid upon the table.

A communication from John Walworth, assistant register in chancery, was received and read.

*[See Document No. 306.]*

**Ordered,** That the said communication be laid upon the table.

A communication from James Porter, register in chancery, was received and read.

*[See Document No. 314.]*

**Ordered,** That the said communication be laid upon the table.

A communication from John Keyes Page, clerk of the Supreme Court at Albany, was received and read.

*[See Document No. 315.]*

**Ordered,** That the said communication be laid upon the table.

A communication from W. P. Hallett, clerk of the Supreme Court in the city of New-York, was received and read.

*[See Document No. 310.]*

**Ordered,** That the said communication be laid upon the table.

A communication from J. H. Hubbard, clerk of the Supreme Court at Utica, was received and read.

*[See Document No. 312.]*

**Ordered,** That the said communication be laid upon the table.

The engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

**On motion of Mr. Groom,**

**Resolved,** That the Clerk furnish each of the members of this House with a printed list of the titles of all bills which shall be on the general orders on the first day of April, as soon as practicable thereafter.

**On motion of Mr. Hall,**

**Resolved,** That the bill entitled "An act to amend an act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases,'" be referred to a select committee to report complete.

**Thereupon,**

**Ordered,** That Mr. Hall, Mr. Wager and Mr. Wilkinson, be the said committee.

In pursuance of previous notice, Mr. Groom asked for, and by the unanimous consent of the House, obtained leave to bring in a bill, entitled "An act to incorporate the Shamrock benevolent association of the State of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Ordered,** That Mr. Anthony have leave of absence for twelve days, Mr. A. Brown for two weeks, Mr. Conklin for ten days, Mr. Eldred for two weeks, Mr. Jackson and Mr. P. W. Paddock for six days each, and Mr. Kent for two weeks.

In pursuance of previous notice, Mr. King asked for and obtained leave to bring in a bill, entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. Barnum asked for and obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Waterloo in the county of Seneca;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then again resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Palmer, from the said committee, reported progress, and asked for and obtained leave to sit again.

**Ordered,** That the usual number of copies of the said bill, as amended in committee of the whole, be printed for the use of the Legislature.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act in relation to the Albany Burgesses corps,' passed May 6th, 1834;" and find the same correctly engrossed.

**Ordered,** That the said bill be laid upon the table.

And then the House adjourned till four o'clock this afternoon.

## FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

*Ordered*, That Mr. Waldron have leave of absence for five days, and Mr. Williams for twelve days.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Mary Johnson and others;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Van Bergen, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Chauncey Persons;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Van Bergen, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to compensate Samuel Farwell for services rendered the State upon the Erie canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Van Bergen, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## TUESDAY, MARCH 24, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Columbia, praying for authority to construct a bridge across the Hudson river at Albany, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Rensselaer, against the construction of a rail-road from Greenbush to West-Stockbridge, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of school district number ten in the city of Rochester, praying for the passage of an act authorising the trustees of said village to sell and convey a certain piece

of land, was read, and referred to a select committee, consisting of the members attending this House from the county of Monroe.

The petition of sundry inhabitants of the town of Buffalo, praying for the passage of an act authorising a tax on said town, to build a bridge across Buffalo creek on the Indian reservation in said town, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the village of Aurora in the county of Erie, praying for an act of incorporation, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the town of Jersey in the county of Steuben, against a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from Abbott's corners to the city of Buffalo in said county, was read, and referred to the committee on rail-roads.

The memorial and remonstrance of Gertrude Cutting, relative to the Fulton ferry in the city of New-York, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Monroe, praying for an amendment of the excise law, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. G. Brown and Mr. Crain.

The petition of sundry inhabitants of the counties of Clinton and Essex, praying for the incorporation of the Keeseville Academy, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a company to construct a turnpike road from the village of Bainbridge to the Chenango canal, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The memorial and affidavits of sundry inhabitants of the county of Onondaga, in support of the petition of Adonijah Carter for relief, were read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the stockholders of the Cornwall and New-Windsor Turnpike Company, praying for leave to abandon a part of their road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Erie, praying for an alteration in the present State prison system, was read, and referred to the select committee on that subject, of which Mr. Carr is chairman.



Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Clarkson and Sweden M'Adam turnpike company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the president, directors and company of the Bristol and Rensselaerville Turnpike Road Company, praying for an amendment of their charter, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the president, directors and company of the Bristol and Rensselaerville turnpike road,' passed March 25th, 1808;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the trustees of the First Congregational Society in the town of China in the county of Genesee, praying for authority to sell and convey certain of their lands, reported a bill, entitled "An act to empower the trustees of the First Congregational society in the town of China in the county of Genesee, to sell a certain lot of land in said town of China;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Bergen, from the majority of the committee on colleges, academies and common schools, to which was referred the petition of D. M. Smith and others of the town of Stockport in the county of Columbia, praying for the incorporation of a literary institution, by the name and style of the Hudson River Seminary, reported a bill, entitled "An act to incorporate the Hudson river seminary;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Bergen, from the select committee to which was referred the bill entitled "An act to incorporate the Kingston turnpike and rail-road company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Wilcoxson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829," reported, that the committee had gone through the said bill, and agreed to the same with-

out amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Thereupon,

By the unanimous consent of the House,

The said bill was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,

*Ordered*, That the said bill be laid upon the table.

A communication from the Comptroller was received and read, in the words following, to wit:

The Comptroller, to whom was referred by the Assembly, the memorial of the St. Regis Indians residing within the State of New-York, respectfully reports:

[See Document No. 318.]

*Ordered*, That the said report be referred to the committee on Indian affairs.

*Ordered*, That Mr. Brooks have leave of absence for three weeks, Mr. Carr for five days, Mr. Crary for twelve days, Mr. Ogden for ten days, and Mr. Krum for four days.

On motion of Mr. Cash,

*Resolved*, That the bill entitled "An act to confirm the last will and testament of Daniel Cameron deceased, late of the town of Delhi in the county of Delaware," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Cash, Mr. Crain and Mr. Tomlinson, be the said committee.

Mr. Moseley gave notice, that at some future day, he should ask leave of the House to introduce a bill, to amend the act entitled "An act to authorise the formation of fire companies," passed April 23d, 1832.

On motion of Mr. Moseley,

*Resolved*, That the committee on the judiciary inquire and report to this House, their opinion as to the expediency of so amending the forty-second section of part second, title first, chapter eighth, article third of the Revised Statutes, as to exempt from the limitation of suits therein specified, complainants unable to prosecute from want of means to carry on such suit, or from want of legal proof of the facts charged.

Mr. Tomlinson gave notice that he would hereafter ask leave to introduce a bill, in relation to notices of protests of non-acceptance or non-payment of bills of exchange and promissory notes, to the parties thereto.

Thereupon,

In pursuance of the preceding notice, Mr. Tomlinson asked for, and by the unanimous consent of the House, obtained leave to bring in a bill, entitled "An act in relation to the parties to bills of ex-



change and promissory notes;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

On motion of Mr. Shepard,

*Resolved*, That the bill for the relief of the First Christian Party of the Oneida Indians, be made the special order for to-morrow.

*Ordered*, That the committee on the erection and division of towns and counties, be discharged from the consideration of the remonstrance of sundry inhabitants of the town of Schroon in the county of Essex, against the construction of a road from Whitehall to Port Henry; and that the same be referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The House then again resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Palmer, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree to amend the report of the committee of the whole, by inserting as the seventh and eighth sections of the said bill, the following:

§ 7. No incorporated bank or incorporation within this State, having banking powers, shall, directly or indirectly, take or receive in money, goods or things in action, or in any other way, any greater sum or greater value for the loan or forbearance of any money, than six dollars upon one hundred dollars for one year, and after that rate for a greater or less sum, or for a longer or shorter time.

§ 8. Any bank violating the provisions of the foregoing section, shall be deemed to have forfeited its charter.

Thereupon,

Mr. Speaker decided that the said amendment was in violation of the eighth joint rule of the Senate and Assembly, and therefore out of order.

Mr. M. H. Sibley appealed from the decision of the Chair.

Mr. Speaker put the question, "Is the decision of the Chair correct?" and it was determined in the affirmative.

{ AYES 69 }  
{ NAYS 16 }

The ayes and nays being required by ten members,

**Those who voted in the affirmative are**

Mr. Adams	Mr. Gray	Mr. Phillips
Mr. Baker	Mr. Groom	Mr. Philo
Mr. Beecher	Mr. Harvey	Mr. Powers
Mr. Benjamin	Mr. J. Haskell	Mr. Preston
Mr. Bennet	Mr. Healy	Mr. Rice
Mr. Brasher	Mr. Hendee	Mr. Roosevelt
Mr. G. Brown	Mr. Hicks	Mr. Seger
Mr. Barnum	Mr. Hiller	Mr. Shepard
Mr. Cadwell	Mr. Hough	Mr. Simmons
Mr. Carpenter	Mr. Jones	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetson
Mr. J. Clark	Mr. Livingston	Mr. C. Strong
Mr. Clinch	Mr. Lockwood	Mr. Suffern
Mr. Coe	Mr. Loomis	Mr. Tyrrel
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Odell	Mr. Wetmore
Mr. Davis	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Dayan	Mr. Palmer	Mr. Wilkinson
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Peck	Mr. A. Woodworth
Mr. Fisher	Mr. Pettit	Mr. Wylie

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**Those who voted in the negative are**

Mr. Blatchly	Mr. M'Kie	Mr. D. Sibley
Mr. C. Clark	Mr. Niles	Mr. M. H. Sibley
Mr. A. Hascall	Mr. Ostrom	Mr. E. Strong
Mr. Hildreth	Mr. Patterson	Mr. Tomlinson
Mr. Hutchinson	Mr. Richmond	Mr. Woodward
Mr. Ingersoll		

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Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 72 }  
{ NAYS 09 }

The ayes and nays being required by ten members,

**Those who voted in the affirmative are**

Mr. Adams	Mr. J. Haskell	Mr. Powers
Mr. Baker	Mr. Healy	Mr. Preston
Mr. Beecher	Mr. Hendee	Mr. Rice
Mr. Benjamin	Mr. Hicks	Mr. Richmond
Mr. Bennet	Mr. Hildreth	Mr. Roosevelt

Mr. Blatchly	Mr. Hiller	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Hutchinson	Mr. Simmons
Mr. Cadwell	Mr. Jones	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Livingston	Mr. Stetson
Mr. C. Clark	Mr. Loomis	Mr. C. Strong
Mr. J. Clark	Mr. M'Neil	Mr. E. Strong
Mr. Clinch	Mr. Murphy	Mr. Suffern
Mr. Coe	Mr. Niles	Mr. Tomlinson
Mr. Crosby	Mr. Odell	Mr. Tyrrel
Mr. Crowell	Mr. W. S. Paddock	Mr. Van Bergen
Mr. Cuykendall	Mr. Palmer	Mr. Wager
Mr. Dayan	Mr. Parker	Mr. Wetmore
Mr. Farwell	Mr. Patterson	Mr. Wilcoxson
Mr. Fisher	Mr. Peck	Mr. Wilkinson
Mr. Gray	Mr. Pettit	Mr. Woodbury
Mr. Groom	Mr. Phillips	Mr. Woodward
Mr. Harvey	Mr. Philo	Mr. Wylie

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Those who voted in the negative are

Mr. Davis	Mr. Mallory	Mr. D. Sibley
Mr. A. Hascall	Mr. M'Kie	Mr. M. H. Sibley
Mr. Lockwood	Mr. Ostrom	Mr. A. Woodworth

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Thereupon,

The amendments were ordered to be engrossed, and the bill ordered to a third reading.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act for the relief of Chauncey Persons," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

And then the House adjourned till four o'clock this afternoon.

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to compensate Samuel Farwell for services rendered the State upon the Erie canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Van Bergen, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Elizabeth Favie, Margaret Bosfont, Jaque Favie, Elizabeth Saintjeme and Pierre Favie;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cadwell, from the said committee, reported, that the committee had gone through the said bill, altered the title to "An act for the relief of Elizabeth Favie and others," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Patrick Rooney;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cadwell, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Lucas Elmendorf;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Cadwell, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Gilbert D. Dillon;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the sale and conveyance to Solomon Davis, of lot number thirty-one in the Two-mile tract in the county of Oneida;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to settle the claims of Nathan Bumpus and others against the State, for money paid on lots twenty-eight and sixty-four in Freemasons' patent, county of Herkimer;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## WEDNESDAY, MARCH 25, 1835.

**The House met pursuant to adjournment.**

The remonstrance of sundry inhabitants of the county of Chautauque, against the passage of an act requiring the supervisors of said county to raise money for the completion of the court-house in said county, was read, and referred to the select committee on that subject, of which Mr. M'Cluer is chairman.

The petition of James N. Mitchell of the county of Ulster, praying for the incorporation of the Shawangunk Company for manufacturing purposes, was read, and referred to the committee on trade and manufactures.

The petition of sundry inhabitants of the counties of Westchester, Putnam and Rockland, praying for the establishment of a ferry between Sing-Sing and Slaughter's landing, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the town of Lake-Pleasant in the county of Hamilton, praying for a division of said town, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the town of Hector in the county of Tompkins, praying for the passage of an act authorising the election of five justices of the peace for said town, was read, and referred to the committee on the judiciary.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Chenango, praying for the incorporation of a company to construct a turnpike road from Bainbridge to the Chenango canal, reported a bill, entitled "An act to incorporate the Bainbridge and Oxford turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of the heirs of Samuel Merry junior, deceased, praying compensation for the discovery of certain escheated lands, reported a bill, entitled "An act for the settlement of an alleged claim by the heirs of Samuel Merry junior;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole when on the bill for the relief of Nathan Bumpus and others.

Mr. Wylie, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Palmyra in the county of Wayne,' passed March 29th, 1827, and the several acts amending the same," reported, that the committee have examined the said bill, and recommend that it be passed into a law.

**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petitions of sundry inhabitants of the counties of Tioga, Broome, Chenango and Madison, praying for the extension of the Chenango canal from Binghamton to Owego, reported a bill, entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. M'Cluer, from the select committee to which was referred the engrossed bill entitled "An act authorising the comptroller to loan money to the county of Chautauque," reported, that the committee have examined the said bill, and prepared amendments thereto, with which they see no reason why the same should not be passed into a law, and recommend that the bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act to confirm the last will and testament of Daniel Cameron deceased, late of Delhi in the county of Delaware," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The Senate sent for concurrence, a bill entitled "An act to amend the act for the erection of a court-house and jail in the county of Columbia, passed April 6th, 1834;" and a bill entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York, to raise money by tax."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to amend the act for the erection of a court-house and jail in the county of Columbia, passed April 6th, 1834," was referred to a select committee, consisting of the members attending this House from the county of Columbia; and the bill entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York to raise money by tax," was referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of Patrick Rooney," and the engrossed bill entitled "An act for the relief of Elizabeth Favie and others," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of Lucas Elmendorf," and the engrossed bill entitled "An act to compensate Samuel Farwell for services rendered to the State upon the Erie canal," and find the said bills severally correctly engrossed.

Thereupon,

The said engrossed bill, entitled "An act for the relief of Lucas Elmendorf," was read the third time.

*Resolved*, That the bill do pass.

The said engrossed bill, entitled "An act to compensate Samuel Farwell for services rendered to the State upon the Erie canal," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Peter I. Enders, respectfully report:

[See Document No. 325.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Stephen Tuttle and others, trustees of the village of Elmira, respectfully report:

[See Document No. 324.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Joseph Waggoner, respectfully report:

[See Document No. 321.]

*Ordered*, That the said report be referred to the committee on grievances.

A communication from Samuel Young, one of the regents of the University, was received and read, in the words following, to wit:

TO THE HON. THE SPEAKER OF THE ASSEMBLY.

SIR,

Be pleased to communicate to the Legislature my resignation as a regent of the University of this State, which is hereby respectfully made.

S. YOUNG.

March 25, 1835.



Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to confirm the last will and testament of Daniel Cameron deceased, late of the town of Delhi in the county of Delaware," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to prohibit the circulation of small bills," with the engrossed amendments, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill and amendments, and it was determined in the affirmative.

{ AYES 74 }  
{ NAYS 17 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Rice
Mr. Baker	Mr. Hendee	Mr. Richmond
Mr. Beecher	Mr. Hicks	Mr. Roosevelt
Mr. Benjamin	Mr. Hildreth	Mr. Seger
Mr. Bennet	Mr. Hiller	Mr. Shafer
Mr. Blatchly	Mr. Hillyer	Mr. Shepard
Mr. Brasher	Mr. Hough	Mr. Simmons
Mr. Barnum	Mr. Hutchinson	Mr. Speaker
Mr. Burr	Mr. Jones	Mr. Springer
Mr. Cadwell	Mr. Loomis	Mr. Stetson
Mr. Carpenter	Mr. M'Neil	Mr. Stevens
Mr. Cash	Mr. Moseley	Mr. C. Strong
Mr. C. Clark	Mr. Murphy	Mr. E. Strong
Mr. J. Clark	Mr. Niles	Mr. Suffern
Mr. Clinch	Mr. Odell	Mr. Tomlinson
Mr. Coe	Mr. W. S. Paddock	Mr. Tyrrel
Mr. Crosby	Mr. Palmer	Mr. Van Bergen
Mr. Crowell	Mr. Parker	Mr. Wager
Mr. Cuykendall	Mr. Patterson	Mr. Wetmore
Mr. Dayan	Mr. Peck	Mr. Wheeler
Mr. Farwell	Mr. Pettit	Mr. Wilcoxson
Mr. Fisher	Mr. Phillips	Mr. Wilkinson
Mr. Griswold	Mr. Philo	Mr. Woodbury
Mr. Groom	Mr. Powers	Mr. Wylie
Mr. Harvey	Mr. Preston	



Those who voted in the negative are

Mr. G. Brown	Mr. Ingersoll	Mr. Moore
Mr. A. Clark	Mr. Lockwood	Mr. Ostrom
Mr. Crain	Mr. Lytle	Mr. D. Sibley
Mr. Davis	Mr. Mallory	Mr. M. H. Sibley
Mr. Finch	Mr. M'Chuer	Mr. A. Woodworth
Mr. A. Hascall	Mr. M'Kie	17

The engrossed bill from the Senate, entitled "An act authorising the comptroller to loan money to the county of Chautauque," with the engrossed amendments, was read the third time.

*Resolved*, That the bill and amendments do pass.

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have passed the same severally with the amendments therewith delivered.

Mr. M. H. Sibley gave notice of his intention to ask leave to bring in a bill to reduce the rate of interest which banks shall be permitted to receive on loans or discounts made by them.

In pursuance of previous notice, Mr. Moseley asked for and obtained leave to bring in a bill, entitled "An act to amend an act entitled 'An act to authorise the formation of fire companies,' passed April 23d, 1832;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State,'" with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate returned the bill entitled "An act to amend the seventh title and fourteenth chapter of the first part of the Revised

**Statutes, entitled 'General regulations concerning the practice of physic and surgery in this State.'"**

**Ordered, That the Clerk deliver the said bill to the Governor.**

**And then the House adjourned till four o'clock this afternoon.**

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#### **FOUR O'CLOCK P. M.**

**The House met pursuant to adjournment.**

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Gilbert D. Dillon;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered, That the bill be engrossed.**

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the sale and conveyance to Solomon Davis, of lot number thirty-one in the Two-mile tract in the county of Oneida;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered, That the bill be engrossed.**

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to settle the claims of Nathan Bumpus and others, against the State, for money paid on lots twenty-eight and sixty-four in Freemasons' patent, county of Herkimer;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Fisher, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, altered the title to "An act to settle the claims of Nathan Bumpus and others," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered, That the bill be engrossed.**

The House then resolved itself into a committee of the whole, on the bill entitled "An act to compensate Zebulon Douglas for extra labor on the Erie canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ingersoll, from the said committee, reported, that the committee had made some progress in the

said bill, and directed him to report the same to the House, and ask for leave to sit again.

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said bill, and that the same be referred to the Canal Board.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Paisley Laing;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ingersoll, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Ephraim Bogardus;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Ingersoll, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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## THURSDAY, MARCH 26, 1835.

The House met pursuant to adjournment.

The petition of James Fleming of the county of Orange, praying for authority to take, hold and convey real estate, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the village of Jordan in the county of Onondaga, praying for the incorporation of said village, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the city of New-York, against the passage of the act before the Assembly, relative to the sale of stocks and bills of exchange, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the village of Syracuse, praying for the incorporation of a company for the manufacture of fine salt, was read, and referred to the committee on the manufacture of salt.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of James N. Mitchell, praying for the incorporation of the Shawangunk Manufacturing Company, reported a bill, entitled "An act to incorporate the Shawangunk company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the parties to bills of exchange and promissory notes," reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was determined in the affirmative.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Homer in the county of Cortland, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Homer;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York to raise money by tax," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

In pursuance of the notice of yesterday, Mr. M. H. Sibley made a motion that the House should agree to grant him leave to bring in a bill, entitled "An act to amend the third title of the fourth chapter of part second of the Revised Statutes, entitled 'Of the interest of money.'"

Mr. Speaker decided that the said motion was not in order, inasmuch as the said bill provided for the alteration of more than one incorporation, but did not affect the rate of interest generally, and was therefore in violation of the eighth joint rule of the Senate and Assembly.

Thereupon,

Mr. M. H. Sibley appealed from the decision of the Chair.

Mr. Speaker put the question, "Is the decision of the Chair correct?" and it was determined in the affirmative.

{ AYES 59 }  
{ NAYS 25 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams  
Mr. Beecher

Mr. Groom  
Mr. J. Haskell

Mr. Powers  
Mr. Preston

Mr. Benjamin	Mr. Hicks	Mr. Rice
Mr. Bennet	Mr. Hiller	Mr. Shafer
Mr. Brasher	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Livingston	Mr. Stetson
Mr. A. Clark	Mr. Lytle	Mr. Stevens
Mr. J. Clark	Mr. Mallory	Mr. Van Bergen
Mr. Clinch	Mr. Moseley	Mr. Wager
Mr. Coe	Mr. Murphy	Mr. Warren
Mr. Crain	Mr. Odell	Mr. Wetmore
Mr. Crowell	Mr. Ostrom	Mr. Wheeler
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Davis	Mr. Palmer	Mr. Wilkinson
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Pettit	Mr. A. Woodworth
Mr. Gray	Mr. Phillips	Mr. Wylie
Mr. Griswold	Mr. Philo	

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Those who voted in the negative are

Mr. Baker	Mr. J. W. Lewis	Mr. Seger
Mr. Blatchly	Mr. T. Lewis	Mr. D. Sibley
Mr. G. Brown	Mr. M'Cluer	Mr. M. H. Sibley
Mr. Burr	Mr. M'Kie	Mr. C. Strong
Mr. A. Hascall	Mr. Moore	Mr. E. Strong
Mr. Hendee	Mr. Patterson	Mr. Tomlinson
Mr. Hildreth	Mr. Richmond	Mr. Tyrrel
Mr. Hillyer	Mr. Roosevelt	Mr. Woodward
Mr. Hutchinson		

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Mr. Livingston gave notice that he would hereafter ask leave to bring in a bill to reduce the rate of interest, as now established by law in this State.

On motion of Mr. Lytle.

*Resolved*, That the bill entitled "An act to incorporate the Manlius academy," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Lytle, Mr. Pettit and Mr. Wilkinson, be the said committee.

On motion of Mr. Cash,

*Resolved*, That the committee of the whole be discharged from the further consideration of an act entitled "An act to amend an act entitled 'An act to vest certain powers in the frecholders and inhabitants of the village of Montgomery in the county of Orange,'" and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Cash, Mr. Tomlinson and Mr. Patterson, be the said committee.

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Mr. Roosevelt gave notice of his intention to ask leave to introduce a bill in relation to the partition of lands.

Mr. Phillips gave notice that he would, at some future day, ask leave to introduce a bill for the protection of grouse or heath hens in the counties of Queens and Suffolk.

Mr. Gray gave notice that he would, on some future day, ask leave to introduce a bill, making the affidavits of publication of printers of notices, such as by any law of this State are required to be published in a public newspaper, prima facie evidence of such publication, and authorising the same to be read in evidence in courts of justice.

On motion of Mr. Barnum,

*Resolved*, That the bill entitled "An act to amend an act to incorporate the village of Waterloo," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Barnum, Mr. Benjamin and Mr. Coe, be the said committee.

On motion of Mr. M'Cluer,

*Resolved*, That the bill authorising the appointment of a Supreme Court commissioner in the counties of Onondaga and Chautauque, be taken from the general orders, and referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. M'Cluer, Mr. Wilkinson and Mr. Woodward, be the said committee.

*Ordered*, That Mr. Healy and Mr. Phillips have leave of absence for twelve days each, and Mr. Thorn for ten days.

Mr. M. H. Sibley gave notice that he would introduce a resolution to-morrow, to suspend the eighth joint rule of the Senate and Assembly, so far as to the introduction and passage of a bill prohibiting all the monied incorporations in this State, having banking powers, from taking or receiving more than six per cent per annum upon loans or discounts.

Mr. M. H. Sibley gave notice that he would hereafter ask leave to introduce bills to reduce the rate of interest which the several monied incorporations having banking powers in this State, shall have a right to receive.

On motion of Mr. Davis,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the Kingston steam-boat company, and that the petitioners have leave to withdraw their petition and papers.

Mr. Mallory offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the notes of the Safety fund banks of this State ought to be esteemed, taken and received at their nominal amount by all the Safety fund banks in this State; and inasmuch as they are authorized to be circulated by the Legislature, the holders of those notes should not be subjected to the loss of the discount now made and exacted by some of the banks, in receiving the notes of others:



**Therefore,**

**Resolved,** That the committee on the incorporation and alteration of the charters of banking and insurance companies, be, and they are hereby instructed to bring in a bill, requiring each of the Safety fund banks in this State to receive at par, in payment of any debt due to or at such bank, the notes of any other solvent Safety fund bank in this State, upon pain of forfeiting their charter.

**Ordered,** That the said resolutions be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the Kingston turnpike and rail-road company;" the engrossed bill entitled "An act in relation to the parties to bills of exchange and promissory notes;" the engrossed bill entitled "An act for the relief of Gilbert D. Dillon;" the engrossed bill entitled "An act for the sale and conveyance to Solomon Davis, of lot number thirty-one in the Two-mile tract in the county of Oneida;" and the engrossed bill entitled "An act to settle the claims of Nathan Bumpus and others," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Paisley Laing;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Pettit, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Ephraim Bogardus;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Pettit, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the

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The petition of the Roman Catholic Society of the city of New-York, praying for an extension and alteration of their charter, was read, and referred to a select committee, consisting of Mr. Rice, Mr. Carr and Mr. Roosevelt.

The petition of sundry inhabitants of the county of Essex, praying for the incorporation of the Union Rail-Road Company in the county of Saratoga, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Jordan in the county of Onondaga, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Jordan;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole.

Mr. Wetmore, from the committee on colleges, 'academies and common schools, to which was referred the petition of sundry inhabitants of the town of Canton in the county of St. Lawrence, praying for authority to raise money by tax, for the benefit of their high school, reported a bill, entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax, for the benefit of a classical school in the town of Canton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the memorial of the mayor, recorder and aldermen of the city of Schenectady, praying for an amendment of the law relative to the city of Schenectady, reported a bill, entitled "An act to amend the act entitled 'An act relative to the city of Schenectady,' passed April 20th, 1833, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the petition of sundry builders and others of the city of Utica, praying for the passage of an act requiring all lumber offered for sale in said city to be inspected, reported a bill, entitled "An act in relation to the inspection of lumber in the city of Utica;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

*Ordered,* That the said bill be laid upon the table.



*Ordered,* That the usual number of copies of the said bill be printed for the use of the Legislature.

Mr. Pettit, from the select committee to which was referred the bill entitled "An act concerning the assessment of taxes on incorporated companies," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Wetmore, from the select committee to which was referred the bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crowell, from the select committee to which was referred the bill entitled "An act in relation to Salmon river in the county of Oswego," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. M'Cluer, from the select committee to which was referred the bill entitled "An act relative to the court of general sessions of the county of Chautauque," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. A. Woodworth, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Harvey, from the select committee to which was referred the bill entitled "An act to incorporate the Oneonta and Franklin turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Hicks, from the select committee to which was referred the bill entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The engrossed bill from the Senate, entitled "An act to enable the mayor, aldermen and commonalty of the city of New-York to raise money by tax," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act for the relief of Anson Thompson," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of John Wilkinson," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the trustees of school district number ten in the city of Rochester, to sell a part of their school-house lot," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. A. Hascall gave notice that he would hereafter ask leave to introduce a bill concerning forgery and counterfeiting.

Thereupon,

In pursuance of previous notice, Mr. A. Hascall asked for and obtained the unanimous consent of the House to bring in a bill, entitled "An act concerning forgery and counterfeiting;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered*, That the bill entitled "An act establishing and regulating ferries across the Hudson river, between the counties of Rockland and Westchester," be referred to a select committee, consisting of Mr. Pat'erson, Mr. Lockwood and Mr. D. Sibley, to report the same complete.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. M. H. Sibley; the same was again read, in the words following, to wit:

*Resolved*. (the Honorable the Senate concurring,) That the eighth joint rule of the Senate and Assembly be, and the same is hereby suspended, so far as to allow the introduction and passage of a bill regulating and limiting the rate of interest which the banking institutions of the State may demand or receive.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

On motion of Mr. D. Sibley,

*Resolved*, That the bill entitled "An act in relation to the Erie canal," be made the special order of the day for the tenth of April next.

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act concerning the interest on money;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

On motion of Mr. Moore,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorise the supervisors of the county of Washington to raise money in the town of Granville in said county, by tax, to defray certain expenses in said town;" and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Moore, Mr. Horton and Mr. M'Kie, be the said committee.

*Ordered*, That Mr. Crosby have leave of absence for six days, Mr. M'Kie for five days, and Mr. Suffern for eight days.

In pursuance of previous notice, Mr. Roosevelt asked for and obtained leave to bring in a bill, entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to report the same complete.

The House then proceeded to the consideration of the report of the committee on Indian affairs, on the petition of sundry inhabitants of the counties of Onondaga and Cortland, praying for a grant from the State of two thousand dollars, for the purpose of improving a road through the lands of the Onondaga Indians; the said report concluding, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

On motion of Mr. Cash,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the Montgomery academy," and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Cash, Mr. Wetmore and Mr. Wilkinson, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Livingston,

*Resolved*, That when this House adjourns, it will adjourn till ten o'clock on Monday morning.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act relative to the court of general sessions of the county of Chautauque;" the engrossed bill entitled "An act to incorporate the Oneonta and Franklin turnpike company;" the engrossed bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York;" the engrossed bill entitled "An act in relation to Salmon river in the county of Oswego;" the engrossed bill entitled "An act concerning the assessment of taxes on incorporated companies," and the engrossed bill entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

And then the House adjourned until ten o'clock on Monday morning next.

## MONDAY, MARCH 30, 1835.

The House met pursuant to adjournment.

Four several memorials of sundry inhabitants of the county of Monroe, relative to the granting of licenses to sell ardent spirits in said county, were read, and referred to the select committee on that subject, of which Mr. D. Sibley is chairman.

The memorial of sundry inhabitants of the city of New-York, relative to the reversion of its excess of revenue, was read, and referred to the Commissioners of the Land-Office.

The remonstrance of sundry citizens of the city of Utica, against any assessment of their property to defray the expense of changing the northern termination of the Chenango canal, was read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

The petition of Dix Hoar of the county of Onondaga, praying for the passage of an act authorising himself and family to change their names, was read, and referred to a select committee, consisting of Mr. Pettit, Mr. Parker and Mr. Lytle.

The memorial of William Strong and others of the county of Onondaga, in support of the petition for the division of the town of Spafford in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the counties of Niagara, Orleans and Monroe, praying for the incorporation of a company

to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

The petition of sundry inhabitants of the county of Tioga, praying for the incorporation of a bank, to be located at Owego in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The petition of sundry inhabitants of the county of Jefferson, praying for an amendment of the act authorising the erection of a toll-bridge across the Chaumont river in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees and sundry other of the inhabitants of the village of Geneseo, praying for an amendment of the charter of said village, was read, and referred to the committee on the incorporation of cities and villages.

The memorial of sundry members of the bar of the city of New-York, praying for an amendment of the Constitution, in relation to additional chancellors, judges of the Supreme Court, &c. was read, and ordered to be laid upon the table.

The petition of the German Roman Catholics of the city of New-York, praying for the incorporation of the St. Laurens' Church in said city, was read, and referred to the committee on the incorporation of charitable and religious societies.

The remonstrance of sundry inhabitants of the village of Poughkeepsie, against the State prison monopoly, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of James L'Amoureux of the city of Albany, in relation to a certain lot of land which he purchased of an alien, was read, and referred to the committee on the petitions of aliens.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of a company to construct a rail-road from Rochester to Lockport, was read, and referred to the committee on rail-roads.

Mr. Hutchinson, from the committee on rail-roads, to which was referred the several petitions of sundry inhabitants of the counties of Washington and Saratoga, praying for the incorporation of a company to construct a railway from Mechanicsville in the county of Saratoga, to Fort-Edward in the county of Washington, reported a bill, entitled "An act to construct a rail-road from Mechanicsville to Fort-Edward;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Davis, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the petition of the Zoological Institute in the city of New-York, praying for an act of incorporation, reported a bill, entitled "An act to incorporate the Zoological institute of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the proof of legal notices," reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was determined in the affirmative.

Mr. Horton, from the select committee to which was referred the bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Ostrom, from the select committee to which was referred the memorial of the mayor, recorder, aldermen and commonalty of the city of Schenectady, praying for the passage of a law to empower and enable them to supply said city with an ample quantity of water for the extinguishment of fires, and for domestic purposes, reported; and asked leave to introduce a bill.

[See Document No. 345.]

*Ordered,* That leave be given to bring in such bill.

Mr. Ostrom, according to leave, brought in the said bill, entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.



Mr. Coe, from the select committee to which was referred the petition of inhabitants of the town of Haverstraw in the county of Rockland, reported; and asked leave to introduce a bill.

[*See Document No. 336.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Coe, according to leave, brought in the said bill, entitled "An act to incorporate a fire company in the town of Haverstraw in the county of Rockland;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Crain, from the select committee to which was referred the petition of the directors of the Susquehannah Steam Navigation Company, for an act of incorporation, reported; and asked leave to introduce a bill.

*Ordered*, That leave be given to bring in such bill.

Mr. Crain, according to leave, brought in the said bill, entitled "An act to incorporate the Susquehannah steam navigation company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to explain and amend title third of chapter fifth of part third of the Revised Statutes, entitled 'Of the partition of lands owned by several persons,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Livingston, from the committee on the judiciary, to which was referred the memorial of the superintendents of the poor of the county of Schenectady, relative to supplying vacancies in office, reported, that the committee are of the opinion that the prayer of the petition ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the town of Hector in the county of Tompkins, praying for the passage of an act authorising the election of five justices of the peace for said town, reported, that in the opinion of the committee, the prayer of the petition ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

[*ASSEMBLY JOURNAL.*] 60

The Canal Commissioners, to whom was sent by the Assembly, the following resolution:

*Resolved*, That the Canal Commissioners report to this House, their opinion as to the practicability of sinking and deepening the summit level of the Crooked lake canal into the lake, to the depth of two feet; and, if practicable, to compute and report the expense of said work, and also constructing a guard-lock at the lake, so as to regulate the flow of water in the same; and also the practicability, utility and expense of constructing two or more feeders from the outlet of said lake, into the canal below the upper mills on said stream; and also suggest some other plan, if any can be devised by them, of supplying the hydraulic works on said outlet with a sufficient supply of water; and report the same, and the expense of carrying the same into effect:

Respectfully report:

[See Document No. 348.]

*Ordered*, That the said report be referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Barnardus J. Swartwout, respectfully report:

[See Document No. 341.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

A communication from the Canal Board, was received and read, in the words following, to wit:

The Canal Board, in obedience to a resolution of the Assembly, under date of the fourth instant, referring to their consideration the proceedings of a public meeting held in the city of Utica on the fifth of last February, to take measures to effect the construction of a ship canal between Lake Ontario and the Hudson river; and also a resolution of the common council of the city of New-York, in favor of the construction of said canal, together with the report of E. F. Johnson, esquire, a civil engineer, respectfully report:

[See Document No. 334.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That four times the usual number of copies of the said report be printed for the use of the Legislature, and one hundred and fifty copies for the Canal Board.

*Ordered*, That the bill entitled "An act concerning the assessment of taxes on incorporated companies," be referred to the committee appointed in pursuance of the ninth section of the seventh article of the Constitution of this State.



The engrossed bill entitled "An act relative to the court of general sessions of the county of Chautauque," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Pettit,

*Resolved*, That the bill entitled "An act to incorporate the Western eye and ear infirmary," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Pettit, Mr. Cash and Mr. Rice, be the said committee.

*Ordered*, That the committee on trade and manufactures be discharged from the consideration of the petition of sundry auctioneers of the county of Kings, and that the same be referred to the Comptroller and Attorney-General.

Mr. Wetmore offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Legislature will, on the eighth day of April next, at twelve o'clock at noon, proceed to the choice of a Regent of the University of this State, in the place of Samuel Young, resigned.

*Ordered*, That the said resolution be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to facilitate the proof of legal notices;" the engrossed bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville;" and the engrossed bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. King made a motion that when the House adjourns, it should adjourn to meet again to-morrow morning at ten o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. King, and it was determined in the affirmative.

{ AYES 40 }  
{ NAYS 37 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Powers
Mr. Baker	Mr. Hall	Mr. Quackenboss
Mr. Brooks	Mr. Harvey	Mr. Rice
Mr. Burbans	Mr. Hicks	Mr. Ringgold
Mr. Cadwell	Mr. Hiller	Mr. Roosevelt
Mr. Carpenter	Mr. Hough	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. J. Clark	Mr. Krum	Mr. Stevens
Mr. Clinch	Mr. Lytle	Mr. C. Strong
Mr. Crain	Mr. P. W. Paddock	Mr. Tomlinson
Mr. Finch	Mr. W. S. Paddock	Mr. Wetmore
Mr. Gray	Mr. Peck	Mr. Wheeler
Mr. Griswold		

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Those who voted in the negative are

Mr. Benjamin	Mr. Horton	Mr. Plumb
Mr. Bennet	Mr. Hutchisson	Mr. Richmond
Mr. G. Brown	Mr. T. Lewis	Mr. D. Sibley
Mr. Barnum	Mr. Livingston	Mr. M. H. Sibley
Mr. Burr	Mr. Mallory	Mr. E. Strong
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Nilcs	Mr. Wager
Mr. Farwell	Mr. Odell	Mr. Waldron
Mr. Fisher	Mr. Patterson	Mr. Warren
Mr. A. Hascall	Mr. Pettit	Mr. A. Woodworth
Mr. Hendee	Mr. Philo	Mr. Wylie
Mr. Hildreth		

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And then the House adjourned until ten o'clock to-morrow morning.

**TUESDAY, MARCH 31, 1835.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the village of Mount-Morris in the county of Livingston, praying for the passage of an act incorporating said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the counties of Rockland and Westchester, relative to ferries between said counties, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the town of Hinsdale in the county of Cattaraugus, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Adna Southwick and others of the county of Ulster, praying for the incorporation of a company to construct a turnpike road from New-Paltz to Wawarsing in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the city of Schenectady, against the erection of an additional ward in said city, and against an alteration of the law in relation to the election of overseers of the poor of said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Palmyra in the county of Wayne, against an amendment of their charter, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. E. Strong, from the select committee to which was referred the petition of James Fleming, praying for the passage of an act authorising him to convey real estate, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Cash, from the select committee to which was referred the bill entitled "An act for the relief of Montgomery academy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Niagara in the county of Niagara, pray-

ing for a division of said town, reported a bill, entitled "An act to divide the town of Niagara in the county of Niagara;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the select committee to which was referred the bill entitled "An act to extend the time for completing the Harlem rail-road, and for other purposes," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Nathan Paddock, respectfully report:

[ *See Document No. 344.* ]

*Ordered*, That the said report be referred to the committee on grievances.

The engrossed bill entitled "An act in relation to Salmon river in the county of Oswego," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to facilitate the proof of legal notices," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Crowell,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the village of Fulton, and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Crowell, Mr. Parker and Mr. Pettit, be the said committee.

*Ordered*, That Mr. Beecher have leave of absence for four days, and Mr. Fisher for one week.

On motion of Mr. Richmond,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the New-York Freewill Baptist missionary society," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Richmond, Mr. T. Lewis and Mr. Thorn, be the said committee.

On motion of Mr. Van Bergen,

*Resolved*, That the bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Van Bergen, Mr. Wilcoxson and Mr. Hall, be the said committee.

Mr. Roosevelt gave notice of his intention to ask leave to introduce a bill for the appointment of commissioners in other States, to take the acknowledgment and proof of deeds and other instruments relating to lands situated in this State.

On motion of Mr. Burhans,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Delaware literary and religious institute," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burhans, Mr. Farwell and Mr. Denniston, be the said committee.

Mr. A. Hascall gave notice that he would hereafter ask leave to introduce a bill to provide for the redemption of a part of the arsenal lot in the county of Franklin.

On motion of Mr. Davis,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the Zoological Institute, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Davis, Mr. Cash and Mr. A. Woodworth, be the said committee.

On motion of Mr. Groom,

*Resolved*, That the petition presented to the last Legislature, praying for the raising of the salaries of all the officers of the Auburn State Prison, except the agent, be referred to the committee of the whole when on the bill to provide for paying the inspectors of said prison for their services.

Mr. Moore gave notice that he would, at some future day, ask leave to introduce a bill to regulate the taxation of the accounts of district attorneys.

On motion of Mr. Judd,

*Resolved*, That the bill from the Senate, to authorise the Matteawan Company to increase their capital stock, be ordered to a third reading.

On motion of Mr. Burke,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county; and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burke, Mr. Blatchley and Mr. Patterson, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Barnum, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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#### WEDNESDAY, APRIL 1, 1835.

The House met pursuant to adjournment.

The petition of John I. Beardslee, praying relief from, and compensation for damages alleged in consequence of the Minden dam, was read, and referred to the Canal Commissioners.

The petitions of John Lorimer Graham, and sundry others of the county of Kings, praying for a grant of land under water adjoining their lots in Williamsburgh in said county, were read, and referred to a select committee, consisting of Mr. Brasher, Mr. Clinch and Mr. P. W. Paddock.

The petition of Luther Pardee of the county of Herkimer, praying for damages alleged to have been sustained in consequence of

the erection of the State dam at Minden in said county, was read, and referred to the Canal Commissioners.

Five several petitions of sundry inhabitants of the county of Westchester, praying the passage of an act authorising the construction of a new road from Eastchester bridge to the village of New-Rochelle in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The memorial of sundry inhabitants of the county of Erie, praying for relief in relation to certain oppressive measures of the Holland Land Company, was read, and referred to the committee on the judiciary.

The petition of John Ridden of the city of New-York, praying for the release by the State of a certain lot of land in said city, was read, and referred to the Commissioners of the Land-Office.

The petition of sundry inhabitants of the county of Dutchess, praying for the revival and amendment of the act incorporating the Dutchess Union Turnpike Company, passed April 19th, 1813, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Orange, in favor of the New-Windsor and Cornwall Turnpike Company abandoning a part of their road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to explain and amend title third of chapter fifth of part third of the Revised Statutes, entitled 'Of the partition of lands owned by several persons;'" the engrossed bill entitled "An act for the relief of Montgomery academy;" the engrossed bill entitled "An act to authorize Samuel W. Bard to establish a ferry between Haverstraw and Peekskill;" the engrossed bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes;" and the engrossed bill entitled "An act to authorize Ward Hunter to establish a ferry between Peekskill and Haverstraw," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The memorial of the president of the American Institute of the city of New-York, praying for the passage of an act authorising a geological survey of the State, was read, and referred to a select committee, consisting of Mr. Clinch, Mr. Wager and Mr. M. H. Sibley.

Mr. Patterson, from the committee on the petitions of aliens, to which was referred the petition of James L'Amoureux, praying relief in relation to a certain lot of land which he purchased of an alien, reported a bill, entitled "An act for the relief of James L'Amoureux;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.



Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, reported, that the committee have examined the engrossed bill entitled "An act concerning the assessment of taxes on incorporated companies," and are of the opinion that the said bill requires the votes of two-thirds of all the members elected to both branches of the Legislature to pass the same into a law.

*Ordered*, That the said bill be laid upon the table.

Mr. Wetmore, from the committee on the militia and the public defence, to which was referred so much of the message of the Governor as relates to the Arsenal in the city of New-York, reported a bill, entitled "An act relative to the State arsenal in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of one member from each Senate district, to report the same complete.

Thereupon,

*Ordered*, That Mr. Judd, Mr. Brasher, Mr. Livingston, Mr. Stetson, Mr. Farwell, Mr. Warren, Mr. Coe and Mr. Patterson, be the said committee.

Mr. Palmer, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York;" the bill entitled "An act to incorporate the Genesee seminary;" the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society;" the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways;" the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh;" the bill entitled "An act to incorporate the Sable iron company;" the bill entitled "An act to loan money to the county of Erie;" the bill entitled "An act to incorporate the Elmira Mechanics' society;" the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville and county of Essex;" the bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee;" the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake;" and the bill entitled "An act to incorporate the Troy orphan asylum."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York," be referred to a select committee, consist-



ing of Mr. Clinch, Mr. Hall and Mr. Brasher; that the bill entitled "An act to incorporate the Genesee seminary," be referred to a select committee, consisting of Mr. Tyrrel, Mr. D. Sibley and Mr. Wetmore; that the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society," be referred to a select committee, consisting of Mr. Moseley, Mr. Plumb and Mr. Parker; that the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways," be referred to a select committee, consisting of Mr. Gray, Mr. Judd and Mr. Adams; that the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh," be referred to a select committee, consisting of Mr. Griswold, Mr. Moore and Mr. Beecher; that the bill entitled "An act to incorporate the Sable iron company," be referred to a select committee, consisting of Mr. Tomlinson, Mr. A. Hascall and Mr. King; that the bill entitled "An act to loan money to the county of Erie," be referred to a select committee, consisting of Mr. Moseley, Mr. M'Neil and Mr. Pettit; that the bill entitled "An act to incorporate the Elmira Mechanics' society," be referred to a select committee, consisting of Mr. Bennet, Mr. Niles and Mr. Lytle; that the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville and county of Essex," be referred to a select committee, consisting of Mr. Tomlinson, Mr. Hicks and Mr. W. S. Paddock; that the bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee," be referred to a select committee, consisting of Mr. Pettit, Mr. Burr and Mr. Richmond; that the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake," be referred to a select committee, consisting of Mr. Hough, Mr. Powers and Mr. Brooks; and that the bill entitled "An act to incorporate the Troy orphan asylum," be referred to a select committee, consisting of Mr. Springer, Mr. Seger and Mr. Burke, to be by the said committee severally reported complete.

Mr. Livingston, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act to regulate the sale of stocks and bills of exchange," reported, that the committee have examined the said bill, and prepared amendments thereto, with which they see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Dayan, from the select committee to which was referred the memorial of Gershom Corwin, reported; and offered the following resolution:

[See Document No. 346.]

*Resolved,* That the prayer of the memorialist ought not to be granted.

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The Canal Commissioners, to whom was sent by the Assembly, the following resolution:

*Resolved*, That the Canal Commissioners report to this House, their opinion as to the practicability of sinking and deepening the summit level of the Crooked lake canal into the lake, to the depth of two feet; and, if practicable, to compute and report the expense of said work, and also constructing a guard-lock at the lake, so as to regulate the flow of water in the same; and also the practicability, utility and expense of constructing two or more feeders from the outlet of said lake, into the canal below the upper mills on said stream; and also suggest some other plan, if any can be devised by them, of supplying the hydraulic works on said outlet with a sufficient supply of water; and report the same, and the expense of carrying the same into effect:

Respectfully report:

[See Document No. 343.]

*Ordered*, That the said report be referred to the select committee on that subject, of which Mr. Wilcoxson is chairman.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Barnardus J. Swartwout, respectfully report:

[See Document No. 341.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

A communication from the Canal Board, was received and read, in the words following, to wit:

The Canal Board, in obedience to a resolution of the Assembly, under date of the fourth instant, referring to their consideration the proceedings of a public meeting held in the city of Utica on the fifth of last February, to take measures to effect the construction of a ship canal between Lake Ontario and the Hudson river; and also a resolution of the common council of the city of New-York, in favor of the construction of said canal, together with the report of E. F. Johnson, esquire, a civil engineer, respectfully report:

[See Document No. 334.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.

*Ordered*, That four times the usual number of copies of the said report be printed for the use of the Legislature, and one hundred and fifty copies for the Canal Board.

*Ordered*, That the bill entitled "An act concerning the assessment of taxes on incorporated companies," be referred to the committee appointed in pursuance of the ninth section of the seventh article of the Constitution of this State.

The engrossed bill entitled "An act relative to the court of general sessions of the county of Chautauque," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Pettit,

*Resolved*, That the bill entitled "An act to incorporate the Western eye and ear infirmary," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Pettit, Mr. Cash and Mr. Rice, be the said committee.

*Ordered*, That the committee on trade and manufactures be discharged from the consideration of the petition of sundry auctioneers of the county of Kings, and that the same be referred to the Comptroller and Attorney-General.

Mr. Wetmore offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Legislature will, on the eighth day of April next, at twelve o'clock at noon, proceed to the choice of a Regent of the University of this State, in the place of Samuel Young, resigned.

*Ordered*, That the said resolution be laid upon the table.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to facilitate the proof of legal notices;" the engrossed bill entitled "An act authorizing the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville;" and the engrossed bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. King made a motion that when the House adjourns, it should adjourn to meet again to-morrow morning at ten o'clock.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. King, and it was determined in the affirmative.

{ AYES 40 }  
{ NAYS 37 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Powers
Mr. Baker	Mr. Hall	Mr. Quackenboss
Mr. Brooks	Mr. Harvey	Mr. Rice
Mr. Burhans	Mr. Hicks	Mr. Ringgold
Mr. Cadwell	Mr. Hiller	Mr. Roosevelt
Mr. Carpenter	Mr. Hough	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. J. Clark	Mr. Krum	Mr. Stevens
Mr. Clinch	Mr. Lytle	Mr. C. Strong
Mr. Crain	Mr. P. W. Paddock	Mr. Tomlinson
Mr. Finch	Mr. W. S. Paddock	Mr. Wetmore
Mr. Gray	Mr. Peck	Mr. Wheeler
Mr. Griswold		

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Those who voted in the negative are

Mr. Benjamin	Mr. Horton	Mr. Plumb
Mr. Bennet	Mr. Hutchinson	Mr. Richmond
Mr. G. Brown	Mr. T. Lewis	Mr. D. Sibley
Mr. Barnum	Mr. Livingston	Mr. M. H. Sibley
Mr. Burr	Mr. Mallory	Mr. E. Strong
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Niles	Mr. Wager
Mr. Farwell	Mr. Odell	Mr. Waldron
Mr. Fisher	Mr. Patterson	Mr. Warren
Mr. A. Hascall	Mr. Pettit	Mr. A. Woodworth
Mr. Hendee	Mr. Philo	Mr. Wylie
Mr. Hildreth		

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And then the House adjourned until ten o'clock to-morrow morning.

**TUESDAY, MARCH 31, 1835.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the village of Mount-Morris in the county of Livingston, praying for the passage of an act incorporating said village, was read, and referred to the committee on the incorporation of cities and villages.

The petition of sundry inhabitants of the counties of Rockland and Westchester, relative to ferries between said counties, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the town of Hinsdale in the county of Cattaraugus, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of Adna Southwick and others of the county of Ulster, praying for the incorporation of a company to construct a turnpike road from New-Paltz to Wawarsing in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the city of Schenectady, against the erection of an additional ward in said city, and against an alteration of the law in relation to the election of overseers of the poor of said city, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the village of Palmyra in the county of Wayne, against an amendment of their charter, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. E. Strong, from the select committee to which was referred the petition of James Fleming, praying for the passage of an act authorising him to convey real estate, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Cash, from the select committee to which was referred the bill entitled "An act for the relief of Montgomery academy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Niagara in the county of Niagara, pray-

ing for a division of said town, reported a bill, entitled "An act to divide the town of Niagara in the county of Niagara;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wager, from the select committee to which was referred the bill entitled "An act to extend the time for completing the Harlem rail-road, and for other purposes," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Nathan Paddock, respectfully report:

[See Document No. 344.]

*Ordered*, That the said report be referred to the committee on grievances.

The engrossed bill entitled "An act in relation to Salmon river in the county of Oswego," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to facilitate the proof of legal notices," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Crowell,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the village of Fulton, and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Crowell, Mr. Parker and Mr. Pettit, be the said committee.

*Ordered*, That Mr. Beecher have leave of absence for four days, and Mr. Fisher for one week.

On motion of Mr. Richmond,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the New-York Freewill Baptist missionary society," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Richmond, Mr. T. Lewis and Mr. Thorn, be the said committee.

On motion of Mr. Van Bergen,

*Resolved*, That the bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Van Bergen, Mr. Wilcoxson and Mr. Hall, be the said committee.

Mr. Roosevelt gave notice of his intention to ask leave to introduce a bill for the appointment of commissioners in other States, to take the acknowledgment and proof of deeds and other instruments relating to lands situated in this State.

On motion of Mr. Burhans,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Delaware literary and religious institute," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burhans, Mr. Farwell and Mr. Denniston, be the said committee.

Mr. A. Hascall gave notice that he would hereafter ask leave to introduce a bill to provide for the redemption of a part of the arsenal lot in the county of Franklin.

On motion of Mr. Davis,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to incorporate the Zoological Institute, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Davis, Mr. Cash and Mr. A. Woodworth, be the said committee.

On motion of Mr. Groom,

*Resolved*, That the petition presented to the last Legislature, praying for the raising of the salaries of all the officers of the Auburn State Prison, except the agent, be referred to the committee of the whole when on the bill to provide for paying the inspectors of said prison for their services.

Mr. Moore gave notice that he would, at some future day, ask leave to introduce a bill to regulate the taxation of the accounts of district attorneys.

On motion of Mr. Judd,

*Resolved*, That the bill from the Senate, to authorise the Matteawan Company to increase their capital stock, be ordered to a third reading.



On motion of Mr. Burke,

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county; and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burke, Mr. Blatchley and Mr. Patterson, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Barnum, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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#### WEDNESDAY, APRIL 1, 1835.

The House met pursuant to adjournment.

The petition of John I. Beardslee, praying relief from, and compensation for damages alleged in consequence of the Minden dam, was read, and referred to the Canal Commissioners.

The petitions of John Lorimer Graham, and sundry others of the county of Kings, praying for a grant of land under water adjoining their lots in Williamsburgh in said county, were read, and referred to a select committee, consisting of Mr. Brasher, Mr. Clinch and Mr. P. W. Paddock.

The petition of Luther Pardee of the county of Herkimer, praying for damages alleged to have been sustained in consequence of



the erection of the State dam at Minden in said county, was read, and referred to the Canal Commissioners.

Five several petitions of sundry inhabitants of the county of Westchester, praying the passage of an act authorising the construction of a new road from Eastchester bridge to the village of New-Rochelle in said county, was read, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies.

The memorial of sundry inhabitants of the county of Erie, praying for relief in relation to certain oppressive measures of the Holland Land Company, was read, and referred to the committee on the judiciary.

The petition of John Riddea of the city of New-York, praying for the release by the State of a certain lot of land in said city, was read, and referred to the Commissioners of the Land-Office.

The petition of sundry inhabitants of the county of Dutchess, praying for the revival and amendment of the act incorporating the Dutchess Union Turnpike Company, passed April 19th, 1813, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Orange, in favor of the New-Windsor and Cornwall Turnpike Company abandoning a part of their road, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Niles, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to explain and amend title third of chapter fifth of part third of the Revised Statutes, entitled 'Of the partition of lands owned by several persons;'" the engrossed bill entitled "An act for the relief of Montgomery academy;" the engrossed bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill;" the engrossed bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes;" and the engrossed bill entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The memorial of the president of the American Institute of the city of New-York, praying for the passage of an act authorising a geological survey of the State, was read, and referred to a select committee, consisting of Mr. Clinch, Mr. Wager and Mr. M. H. Sibley.

Mr. Patterson, from the committee on the petitions of aliens, to which was referred the petition of James L'Amoureux, praying relief in relation to a certain lot of land which he purchased of an alien, reported a bill, entitled "An act for the relief of James L'Amoureux;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, reported, that the committee have examined the engrossed bill entitled "An act concerning the assessment of taxes on incorporated companies," and are of the opinion that the said bill requires the votes of two-thirds of all the members elected to both branches of the Legislature to pass the same into a law.

*Ordered*, That the said bill be laid upon the table.

Mr. Wetmore, from the committee on the militia and the public defence, to which was referred so much of the message of the Governor as relates to the Arsenal in the city of New-York, reported a bill, entitled "An act relative to the State arsenal in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of one member from each Senate district, to report the same complete.

Thereupon,

*Ordered*, That Mr. Judd, Mr. Brasher, Mr. Livingston, Mr. Stetson, Mr. Farwell, Mr. Warren, Mr. Coe and Mr. Patterson, be the said committee.

Mr. Palmer, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York;" the bill entitled "An act to incorporate the Genesee seminary;" the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society;" the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways;" the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh;" the bill entitled "An act to incorporate the Sable iron company;" the bill entitled "An act to loan money to the county of Erie;" the bill entitled "An act to incorporate the Elmira Mechanics' society;" the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville and county of Essex;" the bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee;" the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake;" and the bill entitled "An act to incorporate the Troy orphan asylum."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York," be referred to a select committee, consist-

ing of Mr. Clinch, Mr. Hall and Mr. Brasher; that the bill entitled "An act to incorporate the Genesee seminary," be referred to a select committee, consisting of Mr. Tyrrel, Mr. D. Sibley and Mr. Wetmore; that the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society," be referred to a select committee, consisting of Mr. Moseley, Mr. Plumb and Mr. Parker; that the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways," be referred to a select committee, consisting of Mr. Gray, Mr. Judd and Mr. Adams; that the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh," be referred to a select committee, consisting of Mr. Griswold, Mr. Moore and Mr. Beecher; that the bill entitled "An act to incorporate the Sable iron company," be referred to a select committee, consisting of Mr. Tomlinson, Mr. A. Hascall and Mr. King; that the bill entitled "An act to loan money to the county of Erie," be referred to a select committee, consisting of Mr. Moseley, Mr. M'Neil and Mr. Pettit; that the bill entitled "An act to incorporate the Elmira Mechanics' society," be referred to a select committee, consisting of Mr. Bennet, Mr. Niles and Mr. Lytle; that the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville and county of Essex," be referred to a select committee, consisting of Mr. Tomlinson, Mr. Hicks and Mr. W. S. Paddock; that the bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee," be referred to a select committee, consisting of Mr. Pettit, Mr. Burr and Mr. Richmond; that the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake," be referred to a select committee, consisting of Mr. Hough, Mr. Powers and Mr. Brooks; and that the bill entitled "An act to incorporate the Troy orphan asylum," be referred to a select committee, consisting of Mr. Springer, Mr. Seger and Mr. Burke, to be by the said committee severally reported complete.

Mr. Livingston, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act to regulate the sale of stocks and bills of exchange," reported, that the committee have examined the said bill, and prepared amendments thereto, with which they see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Dayan, from the select committee to which was referred the memorial of Gershom Corwin, reported; and offered the following resolution:

[See Document No. 346.]

*Resolved,* That the prayer of the memorialist ought not to be granted.

**Mr. Speaker** put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

**Mr. Burke**, from the select committee to which was referred the bill entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county," reported, that the committee had gone through the said bill; and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Hall**, from the select committee to which was referred the bill entitled "An act to amend part first, title first of chapter seventeen of the Revised Statutes, entitled 'Of the regulation of trade in certain cases,' " reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Burhans**, from the select committee to which was referred the bill entitled "An act to incorporate the Delaware literary institute," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Richmond**, from the select committee to which was referred the bill entitled "An act to incorporate the New-York Freewill Baptist missionary society," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Crowell**, from the select committee to which was referred the bill entitled "An act to incorporate the village of Fulton," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Van Bergen**, from the select committee to which was referred the bill entitled "An act to amend title third of the seventeen chapter of the first part of the Revised Statutes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

**Ordered,** That the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," and the bill entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," be referred to the committee appointed in pursuance of the forty-seventh rule of this House.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, in pursuance of the twenty-third section of the act entitled "An act concerning escheats," passed April 29th, 1833, respectfully report:

[See Document No. 342.]

**Ordered,** That the said report be referred to the committee on the judiciary.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

Under the authority of the Government of the United States, a preliminary survey of a route for a rail-road has been made from Williamsport in the State of Pennsylvania, to Elmira in this State. Pursuant to directions contained in a resolution of one branch of the National Legislature, (the House of Representatives,) the Secretary of War has transmitted to me a copy of the report and drawings made by Major Bache of the United States Corps of Topographical Engineers, by whom the survey was executed. I herewith send to you the same, with the communications to me on the subject.

W. L. MARCY.

*Albany, April 1, 1835.*

[See Document No. 351.]

**Ordered,** That the said report be referred to the committee on rail-roads.

Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, reported, that the committee have examined the bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill," and the bill entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," and are of the opinion that the said several bills do not require the votes of two-thirds of all the members elected to both branches of the Legislature, to pass the same into laws.

Thereupon,

The said bill, entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill," was read the third time.

**Resolved,** That the bill do pass.

The said bill, entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act for the relief of Montgomery academy," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to explain and amend title third of chapter fifth of part third of the Revised Statutes, entitled 'Of the partition of lands owned by several persons,'" was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the village of Waterloo in the county of Seneca,' passed April 9th, 1824," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 61 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Plumb
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Barnes	Mr. Hicks	Mr. Preston
Mr. Benjamin	Mr. Hildreth	Mr. Quackenboss
Mr. Bennet	Mr. Hiller	Mr. Rice
Mr. Brasher	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Roosevelt
Mr. A. Brown	Mr. Hough	Mr. Seger
Mr. G. Brown	Mr. Jackson	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burr	Mr. Judd	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Speaker
Mr. Carpenter	Mr. Krum	Mr. Springer
Mr. Carr	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lytle	Mr. E. Strong
Mr. J. Clark	Mr. Mallory	Mr. Thorn
Mr. Coe	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. Moore	Mr. Tyrrel
Mr. Crain	Mr. Moseley	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Davis	Mr. Odell	Mr. Warren
Mr. Dayan	Mr. P. W. Paddock	Mr. Wetmore



Mr. Denniston	Mr. W. S. Paddock	Mr. Wheeler
Mr. Farwell	Mr. Palmer	Mr. Wilcoxson
Mr. Finch	Mr. Parker	Mr. Woodbury
Mr. Gray	Mr. Patterson	Mr. Woodward
Mr. Griswold	Mr. Peck	Mr. A. Woodworth
Mr. Groom	Mr. Pettit	Mr. W. Woodworth
Mr. Hall	Mr. Philo	Mr. Wylie
Mr. Harvey		

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Those who voted in the negative are

Mr. J. Haskell

1

The engrossed bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery in the county of Orange,' passed April 11, 1817," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 63 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Quackenboss
Mr. Brasher	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Roosevelt
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. D. Sibley
Mr. Cadwell	Mr. Judd	Mr. M. H. Sibley
Mr. Carpenter	Mr. King	Mr. Speaker
Mr. Cash	Mr. Krum	Mr. Springer
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stetson
Mr. C. Clark	Mr. T. Lewis	Mr. Stevens
Mr. J. Clark	Mr. Livingston	Mr. C. Strong
Mr. Coe	Mr. Lytle	Mr. E. Strong
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crain	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. Moore	Mr. Tyrrel
Mr. Cuykendall	Mr. Moseley	Mr. Van Bergen
Mr. Davis	Mr. Murphy	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. Odell	Mr. Warren

Mr. Farwell	Mr. P. W. Paddock	Mr. Wheeler
Mr. Finch	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Gray	Mr. Palmer	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. W. Woodworth
Mr. Harvey	Mr. Pettit	Mr. Wylie 93

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore 3
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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Philo
Mr. Barnes	Mr. Hendee	Mr. Plumb
Mr. Benjamin	Mr. Hicks	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Brasher	Mr. Hiller	Mr. Quackenboss
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Crain	Mr. M'Cluer	Mr. Van Bergen
Mr. Crowell	Mr. Moore	Mr. Wager



Mr. Cuykendall	Mr. Moseley	Mr. Waldron
Mr. Davis	Mr. Murphy	Mr. Warren
Mr. Dayan	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. W. Woodworth
Mr. Groom	Mr. Patterson	Mr. Wylie
Mr. Hall	Mr. Peck	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Roosevelt.	3
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The engrossed bill from the Senate, entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," with the engrossed amendment, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Philo
Mr. Baker	Mr. A. Hascall	Mr. Plumb
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Brasher	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hillyer	Mr. Roosevelt
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Judd	Mr. M. H. Sibley
Mr. Carpenter	Mr. King	Mr. Speaker
Mr. Carr	Mr. Krum	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. Moore	Mr. Tyrrel
Mr. Crowell	Mr. Moseley	Mr. Van Bergen
Mr. Cuykendall	Mr. Murphy	Mr. Wager

Mr. Davis	Mr. Niles	Mr. Waldron
Mr. Dayan	Mr. Odell	Mr. Warren
Mr. Denniston	Mr. P. W. Paddock	Mr. Wheeler
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Gray	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth
Mr. Groom	Mr. Peck	Mr. W. Woodworth
Mr. Hall	Mr. Pettit	Mr. Wylie

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Those who voted in the negative are

Mr. J. Haskell	Mr. Wetmore
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*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have passed the same severally with the amendments therewith delivered.

The engrossed bill from the Senate, entitled "An act to authorise the Mattewan company to extend their capital," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Peck
Mr. Baker	Mr. A. Hascall	Mr. Pettit
Mr. Barnes	Mr. Hendee	Mr. Philo
Mr. Benjamin	Mr. Hicks	Mr. Plumb
Mr. Bennet	Mr. Hildreth	Mr. Powers
Mr. Brasher	Mr. Hiller	Mr. Preston
Mr. Brooks	Mr. Hillyer	Mr. Quackenboss
Mr. G. Brown	Mr. Horton	Mr. Richmond
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Barnum	Mr. Jackson	Mr. Shepard
Mr. Cadwell	Mr. Jones	Mr. D. Sibley
Mr. Carpenter	Mr. Judd	Mr. M. H. Sibley
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. C. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Thorn
Mr. Conklin	Mr. Lytle	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crowell	Mr. M'Cluer	Mr. Van Bergen
Mr. Caykendall	Mr. Moore	Mr. Wager

Mr. Davis	Mr. Moseley	Mr. Waldron
Mr. Dayan	Mr. Murphy	Mr. Warren
Mr. Denniston	Mr. Niles	Mr. Wilcoxson
Mr. Farwell	Mr. Odell	Mr. Woodbury
Mr. Finch	Mr. P. W. Paddock	Mr. Woodward
Mr. Gray	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Griswold	Mr. Palmer	Mr. W. Woodworth
Mr. Groom	Mr. Parker	Mr. Wylie
Mr. Hall	Mr. Patterson	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wheeler
Mr. Clinch	Mr. Roosevelt	

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on the said bill to the Senate, and  
we passed the same without amend-

consideration of the House, a resolu-  
tion:

preliminary to the enlargement of  
missioners be, and they are hereby  
directed to ascertain the amount of private damages to which this  
State will be subject throughout the whole line of the said canal,  
in consequence of such enlargement, whether for land, hydraulic  
privileges, removal of buildings, or of what nature or kind soever;  
and in all cases where the same shall be practicable, to make con-  
ditional contracts, by which the amount of such damages shall be  
determined; and that they make report thereon to the next Legis-  
lature, showing the amount of damages which shall have been de-  
termined by contracts as aforesaid, and specifying the localities in  
which they shall not have been able to conclude such contracts,  
setting forth the difficulties in each case, and showing the amount  
of damages probably to be demanded in such instances, or an esti-  
mate thereof: That they likewise report a detailed practical esti-  
mate of the entire cost of the proposed enlargement of the said  
canal: And further, that they report as aforesaid whether, in any  
instances, on the route of the said canal, it will be expedient, in  
consideration of the expense to be incurred, or for other reasons,  
to deviate from the present line and open a new canal, instead of  
enlarging the present one; and if so, to specify the instances, and  
state the considerations in favor of such deviations, their length  
respectively, and the points at which they will be connected with  
the present canal.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the usual number of copies of the said resolution  
be printed for the use of the Legislature.

[See Document No. 340.]

**On motion of Mr. Cash,**

**Resolved,** That the bill entitled "An act to provide for the support of the government of this State," be referred to a select committee to report complete.

Thereupon,

**Ordered,** That Mr. Cash, Mr. Dayan and Mr. Roosevelt, be the said committee.

**On motion of Mr. Parker,**

**Resolved,** That the bill to take off two mills per bushel for pumping salt water in the town of Salina, be referred to a select committee to report complete.

Thereupon,

**Ordered,** That Mr. Parker, Mr. Pettit and Mr. Lytle, be the said committee.

**On motion of Mr. Cash,**

**Ordered,** That the committee of the whole be discharged from the further consideration of the resolution amending the Constitution relative to the canal tolls and canal fund, and that the same be laid upon the table.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the following amendment to the Constitution of this State be proposed and referred to the Legislature next to be chosen, and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the first section of the eighth article of the said Constitution:

The Legislature may abolish the office of circuit judge, and may provide by law for increasing the number of chancellors and judges of the supreme court, and defining their powers and duties; and may from time to time so organize the court of chancery and the supreme court, as to prevent delays of justice and to promote the public convenience; and such additional chancellors and judges shall be members of the court for the trial of impeachments and the correction of errors.

**Ordered,** That the said resolution be laid upon the table.

**Ordered,** That the usual number of copies of the said resolution be printed for the use of the Legislature.

[ See Document No. 838. ]

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Livingston; the same was again read, in the words following, to wit:

**Resolved,** That the following amendment be proposed to the Constitution of this State, and that the same be referred to the Legislature next to be chosen, and published in pursuance of the provisions of the first section of the eighth article of the said Constitution:

That so much of the fourth section of the fifth article of the Constitution of this State, as limits the number of justices of the

supreme court, be abolished, and that hereafter there shall be four justices of said court, unless the Legislature shall see fit to authorize the appointment of a larger number of justices; and that so much of the fifth section of the fifth article of said Constitution as relates to circuit judges, be, and the same is hereby abolished: And further, that said Constitution be further amended by authorizing the Legislature to establish a superior court of common pleas, of concurrent jurisdiction with the supreme court, (in all cases excepting such as the Legislature may hereafter except:) And further, that all writs of error from either the said supreme court or superior court of common pleas, shall be brought to and heard before the court of errors provided for in said article fifth of the Constitution: And further, that the said superior court of common pleas shall consist of a chief justice and four justices, and no greater number, without the Legislature shall otherwise direct; any of whom may hold the court, and who shall respectively hold their offices by the same manner of appointment, and under the same tenure, and subject to the same constitutional privileges and restrictions as are granted to or imposed upon the judges of the supreme court by said Constitution: And further, that the said chief justices and justices of the said supreme court and superior court of common pleas shall, in the trial of all issues joined in either of the courts last mentioned, and in courts of oyer and terminer and general jail delivery, possess all the powers now conferred on the circuit judges of this State; and that it shall be the duty of the said chief justices and justices of said courts, to hold all circuit courts for the trial of all issues joined in either of said courts in the several counties of this State, subject nevertheless to legislative direction and control.

Thereupon,

Mr. Livingston made a motion that the House should agree to strike out so much of the said resolution as embraces the proposed amendment to the Constitution, and insert the following:

"There shall hereafter be a supreme court and a superior court of common pleas in this State.

"The supreme court shall be denominated the supreme court of the State of New-York. It shall possess exclusive jurisdiction in cases of quo warranto, mandamus, certiorari and prohibition, and on writs of error in criminal cases.

"The superior court of common pleas shall be denominated the superior court of common pleas of the State of New-York, and shall possess exclusive jurisdiction on writs of error from the superior courts of common pleas.

"In all other cases the said two courts shall possess concurrently, the present jurisdiction of the supreme court.

"The said two courts shall be co-ordinate, and writs of error shall lie from each directly to the court for the correction of errors.

"There shall be a chief justice and four other justices of the supreme court, and no greater number, without the Legislature shall otherwise direct, either or any of whom may hold the said

**court.** There shall also be a chief justice and four other justices of the superior court of common pleas, and no greater number, than the Legislature shall otherwise direct, either or any of which shall hold the same. The said justices, any or either of which may preside at the courts of oyer and terminer, and may sit in the said courts for the trial of issues of fact joined in either of the several counties of this State; and it shall be their duty to hold such courts in each of the said counties, at least twice a year. They shall also be members of the court for the correction of the records and the correction of errors; but neither of the said justices shall vote on the final decision of any writ of error returned from his own court. The said justices shall be nominated by the Governor to the Senate, and shall be appointed by him with their consent, and shall hold their offices during good behavior, or until they shall attain the age of sixty-five years.

"The Legislature shall pass such laws as may be necessary to carry into effect the organization of the said courts pursuant to these provisions.

"The office of circuit judge shall be established on the first day of March, 1837. So much of the Constitution as is contrary to or inconsistent with these provisions, is hereby annulled."

*Ordered,* That the said resolution and amendment be laid upon the table.

*Ordered,* That the usual number of copies of the said amendment be printed for the use of the Legislature.

[See Document No. 337.]

On motion of Mr. Carr,

*Resolved,* That the bills reported by the majority and minority of the select committee on so much of the Governor's message as relates to State prisons, be made the special order of the day for April the eighth instant.

*Ordered,* That Mr. Hutchinson have leave of absence for two weeks.

On motion of Mr. Woodward,

*Resolved,* That the committee of the whole be discharged from the further consideration of the bill to authorize the trustees of the Mayville Baptist Society to sell certain real estate, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered,* That Mr. Woodward, Mr. M'Cluer and Mr. Moseley, be the said committee.

On motion of Mr. King,

*Resolved,* That the bill relating to the support of paupers in St. Lawrence county, be referred to a select committee to report complete.

Thereupon,

*Ordered,* That Mr. King, Mr. W. S. Paddock and Mr. Stetson, be the said committee.

On motion of Mr. Denniston,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange," and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Denniston, Mr. Cash and Mr. Eldred, be the said committee.

On motion of Mr. T. Lewis,

*Resolved*, That the committee of the whole be discharged from the consideration of the several bills for the construction of rail-roads, and that the said bills be referred to the committee of the whole when on the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations."

On motion of Mr. Wheeler,

*Resolved*, That the bill to change the name of the Presbyterian Church in Cedar-street in the city of New-York, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Wheeler, Mr. Ringgold and Mr. Wetmore, be the said committee.

In pursuance of previous notice, Mr. Moore asked for and obtained leave to bring in a bill, entitled "An act to regulate the taxation of the accounts of district attorneys;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

In pursuance of previous notice, Mr. A. Hascall asked for and obtained leave to bring in a bill, entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin;" which was read the first time, and by unanimous consent was also read a second time, and referred to the Commissioners of the Land-Office.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act directing a loan for the construction of the Chenango canal."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on canals and internal improvements, to consider and report thereon.

And then the House adjourned till four o'clock this afternoon.

## FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported, that the committee had made some progress in the said bill, and in proceeding upon the same, it was ascertained there was not a quorum present.

Whereupon,

Mr. Speaker adjourned the House till ten o'clock to-morrow morning.

## THURSDAY, APRIL 2, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Allegany, praying for an amendment of the law taxing the lands of non-resident owners, was read, and referred to the committee on the judiciary.

The memorial of sundry inhabitants of the counties of Monroe and Genesee, praying relief from the operations of the Tonawanda Rail-Road Company, was read, and committed to the committee of the whole when on the general bill relative to rail-road corporations.

The petition of sundry inhabitants of the county of Delaware, praying for a repeal or amendment of the law abolishing imprisonment for debt, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Jefferson, praying for an amendment of the charter of the Chaumont Bridge Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Ellis Potter, praying for a grant of land under water adjoining his lot in Williamsburgh in the county of Kings, was read, and referred to the select committee on that subject, of which Mr. Brasher is chairman.

The petition of sundry inhabitants of the counties of Ulster and Sullivan, praying that the act incorporating the New-Paltz and Liberty Turnpike Company be repealed, and that the charter of the Ellenville and Woodburn Turnpike Company be revived, was read, and referred to the committee on the establishment and im-



provement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the county of Oneida, against the passage of an act authorising a tax to be imposed upon the citizens of Utica, for defraying the expense of changing the termination of the Chenango canal, was read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

The petition of sundry inhabitants of the city of New-York, praying that the law giving to said city the exclusive use by steamboats of the wharves, piers and slips in said city, may be repealed, was read, and referred to the committee on the incorporation of cities and villages.

The remonstrance of sundry inhabitants of the county of Dutchess, against the passage of an act authorising the appointment of commissioners to lay out a road from Pine-Plains to the village of Poughkeepsie, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Niles, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the New-York Freewill Baptist home missionary society;" the engrossed bill entitled "An act to amend part first, title first of chapter seventh of the Revised Statutes, entitled 'Of the regulation of trade in certain cases;'" the engrossed bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes;" the engrossed bill entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county;" and the engrossed bill entitled "An act to incorporate the Delaware literary institute," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Westchester, praying for the passage of an act authorising the laying out and constructing of a road from Eastchester bridge to the village of New-Rochelle in said county, reported a bill, entitled "An act appointing commissioners to lay out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. P. W. Paddock, Mr. Roosevelt and Mr. Jackson, to report the same complete.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the petition of sundry inhabitants of the village of Mount-Morris, praying for the incorporation of said village, reported a bill, entitled "An act to incorporate the village of Mount-Morris;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Patterson made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Patterson, and it was determined in the affirmative.

Mr. Cash, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act for the support of the government of this State," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Springer, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Troy orphan asylum," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the amendment ordered to be engrossed, and the bill ordered to a third reading.

Mr. Hall, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising Aaron C. Hoar and his family to change their names," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wheeler, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to change the title of the Presbyterian church in Cedar-street in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Denniston, from the select committee to which was referred the bill entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Clinch, from the select committee to which was referred the

bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Pettit, from the select committee to which was referred the bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Pettit, from the select committee to which was referred the bill entitled "An act to incorporate the Western eye and ear infirmary," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Woodward, from the select committee to which was referred the bill entitled "An act to authorise the trustees of the Mayville Baptist society to sell certain real estate," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of William J. Lacey and James Haggart, proprietors of the ferry at Black-Rock in the county of Erie, praying for the passage of an act authorising them to erect a drawbridge, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Westchester, Putnam and Rockland, praying for authority to establish a ferry between the village of Sing-Sing and Slaughter's landing, reported a bill, entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester,

and State's standing in the town of Clarkson in the county of Rockland, which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Burhans, Mr. King and Mr. Gray, to report the same complete.

Mr. Bennet, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Elmira Mechanics' society," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. King, from the select committee to which was referred the bill entitled "An act relating to the support of paupers in St. Lawrence county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. King, from the select committee to which was referred the bill entitled "An act to incorporate the Sable iron company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House; and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tyrrel, from the select committee to which was referred the bill entitled "An act to incorporate the Genesee seminary," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act in relation to the first regiment of the first brigade of New-York State horse artillery."

W. L. MARCY.

*Albany, April 1, 1835.*

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of Asa Burrows, respectfully report:

[See Document No. 348.]

**Ordered,** That the said report be referred to the committee on grievances.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the petition of J. N. Hicks, and other inhabitants of Liverpool in the county of Onondaga, respectfully report:

[See Document No. 347.]

**Ordered,** That the said report be referred to the committee on the manufacture of salt.

The engrossed bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the New-York Freewill Baptist home missionary society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 84 }  
{ NAYS 13 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Plumb
Mr. Anthony	Mr. A. Hascall	Mr. Powers
Mr. Baker	Mr. Hendee	Mr. Preston
Mr. Barnes	Mr. Hildreth	Mr. Richmond
Mr. Benjamin	Mr. Hiller	Mr. Seger
Mr. Bennet	Mr. Hillyer	Mr. Shafer
Mr. Brasher	Mr. Horton	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. G. Brown	Mr. Jackson	Mr. Simmons
Mr. Burhans	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. King	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. A. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Mallory	Mr. E. Strong
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. M'Kie	Mr. Tillinghast
Mr. Conklin	Mr. M'Neil	Mr. Tomlinson
Mr. Crain	Mr. Moore	Mr. Tyrrel

Mr. Crowell	Mr. Moseley	Mr. Van Bergen
Mr. Dayan	Mr. Murphy	Mr. Wager
Mr. Denniston	Mr. Niles	Mr. Waldron
Mr. Farwell	Mr. P. W. Paddock	Mr. Wheeler
Mr. Finch	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Gray	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Peck	Mr. A. Woodworth
Mr. Groom	Mr. Pettit	Mr. W. Woodworth
Mr. Hall	Mr. Philo	Mr. Wylie

84

Those who voted in the negative are

Mr. Burke	Mr. Judd	Mr. Patterson
Mr. Cuykendall	Mr. Lytle	Mr. Ringgold
Mr. Davis	Mr. Ostrom	Mr. Roosevelt
Mr. J. Haskell	Mr. Palmer	Mr. Woodbury
Mr. Hicks		

13

The engrossed bill entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising Aaron C. Hoar and his family to change their names," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act for the support of the government of this State," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act to change the title of the Presbyterian church in Cedar-street in the city of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	98	}
{	NAYS	00	}

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. J. Haskell	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Brasher	Mr. Hillyer	Mr. Roosevelt

Mr. Brooks	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Jackson	Mr. Shepard
Mr. Burke	Mr. Jones	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lytle	Mr. E. Strong
Mr. J. Clark	Mr. Mallory	Mr. Thorn
Mr. Coe	Mr. M'Cluer	Mr. Tillinghast
Mr. Conklin	Mr. M'Kie	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Waldron
Mr. Dayan	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Groom	Mr. Parker	Mr. W. Woodworth
Mr. Hall	Mr. Patterson	Mr. Wylie
Mr. Harvey	Mr. Peck	

98

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill entitled "An act to incorporate the Kingston turnpike and rail-road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

..  
 { AYES 93 }  
 { NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Peck
Mr. Anthony	Mr. Harvey	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Philo
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Richmond
Mr. Brasher	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. G. Brown	Mr. Horton	Mr. Shafer



Mr. Burhans	Mr. Hough	Mr. D. Sibley
Mr. Burke	Mr. Jackson	Mr. Simmons
Mr. Barnum	Mr. Jones	Mr. Speaker
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lytle	Mr. Thorn
Mr. J. Clark	Mr. Mallory	Mr. Tillinghast
Mr. Coe	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. M'Kie	Mr. Tyrrel
Mr. Crain	Mr. M'Neil	Mr. Van Bergen
Mr. Crowell	Mr. Moore	Mr. Wager
Mr. Cuykendall	Mr. Moseley	Mr. Waldron
Mr. Davis	Mr. Murphy	Mr. Wheeler
Mr. Dayan	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodbury
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. W. Woodworth
Mr. Groom	Mr. Patterson	Mr. Wylie 93

Those who voted in the negative are

Mr. J. Haskell	Mr. Ostrom	Mr. Shepard 3
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The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hendee	Mr. Philo
Mr. Baker	Mr. Hicks	Mr. Plumb
Mr. Barnes	Mr. Hildreth	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Preston
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Brasher	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. G. Brown	Mr. Jackson	Mr. Shafer
Mr. Burhans	Mr. Jones	Mr. Shepard
Mr. Burke	Mr. Judd	Mr. D. Sibley
Mr. Barnum	Mr. King	Mr. Simmons



Mr. Burr	Mr. Krum	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Cash	Mr. Livingston	Mr. Stevens
Mr. A. Clark	Mr. Lytle	Mr. C. Strong
Mr. C. Clark	Mr. Mallory	Mr. E. Strong
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. M'Kie	Mr. Tillinghast
Mr. Conklin	Mr. M'Neil	Mr. Tomlinson
Mr. Crowell	Mr. Moore	Mr. Tyrrel
Mr. Cuykendall	Mr. Moseley	Mr. Van Bergen
Mr. Davis	Mr. Murphy	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. P. W. Paddock	Mr. Wheeler
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Gray	Mr. Palmer	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Woodward
Mr. Groom	Mr. Patterson	Mr. A. Woodworth
Mr. Hall	Mr. Peck	Mr. W. Woodworth
Mr. Harvey	Mr. Pettit	Mr. Wylie
Mr. A. Hascall		

94

Those who voted in the negative are

Mr. J. Haskell      Mr. Ostrom

2

The engrossed bill entitled "An act to incorporate the Delaware literary institute," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 01 }

These who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Quackenboss
Mr. Brasher	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Jackson	Mr. Shepard
Mr. Burke	Mr. Jones	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker

Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lytle	Mr. E. Strong
Mr. J. Clark	Mr. Mallory	Mr. Thorn
Mr. Coe	Mr. M'Cluer	Mr. Tillinghast
Mr. Conklin	Mr. M'Kie	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Waldron
Mr. Dayan	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. W. Woodworth
Mr. Groom	Mr. Patterson	Mr. Wylie
Mr. Hall	Mr. Peck	

98

Those who voted in the negative are

Mr. J. Haskell

1

The engrossed bill entitled "An act to amend an act entitled 'An act authorising the board of supervisors of the county of St. Lawrence to lay a tax on the town of Oswegatchie, to be invested in an academy and lot, and for other purposes,' passed April 26th, 1833," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adama	Mr. J. Haskell	Mr. Plumb
Mr. Anthony	Mr. Hicks	Mr. Powers
Mr. Baker	Mr. Hildreth	Mr. Preston
Mr. Barnes	Mr. Hiller	Mr. Quackenboss
Mr. Benjamin	Mr. Hillyer	Mr. Richmond
Mr. Bennet	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. G. Brown	Mr. Jackson	Mr. Shafer
Mr. Burhans	Mr. Jones	Mr. Shepard
Mr. Burke	Mr. Judd	Mr. D. Sibley
Mr. Barnum	Mr. King	Mr. Simmons
Mr. Burr	Mr. Krum	Mr. Speaker

Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Carpenter	Mr. Livingston	Mr. Stetson
Mr. Cash	Mr. Lytle	Mr. Stevens
Mr. A. Clark	Mr. Mallory	Mr. C. Strong
Mr. C. Clark	Mr. M'Cluer	Mr. E. Strong
Mr. J. Clark	Mr. M'Kie	Mr. Thorn
Mr. Coe	Mr. M'Neil	Mr. Tillinghast
Mr. Conklin	Mr. Moore	Mr. Tomlinson
Mr. Crain	Mr. Moseley	Mr. Tyrrel
Mr. Cuykendall	Mr. Murphy	Mr. Van Bergen
Mr. Davis	Mr. Niles	Mr. Wager
Mr. Dayan	Mr. Ostrom	Mr. Waldron
Mr. Denniston	Mr. P. W. Paddock	Mr. Wheeler
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Gray	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth
Mr. Groom	Mr. Peck	Mr. W. Woodworth
Mr. Hall	Mr. Pettit	Mr. Wylie
Mr. Harvey	Mr. Philo	

95

Those who voted in the negative are

Mr. A. Hascall

1

The engrossed bill entitled "An act to incorporate the Manlius academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Pettit
Mr. Anthony	Mr. Hendee	Mr. Philo
Mr. Baker	Mr. Hicks	Mr. Plumb
Mr. Barnes	Mr. Hildreth	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Preston
Mr. Bennet	Mr. Hillyer	Mr. Quackenboss
Mr. Brooks	Mr. Horton	Mr. Richmond
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Jackson	Mr. Shafer
Mr. Burke	Mr. Jones	Mr. Shepard
Mr. Barnum	Mr. Judd	Mr. D. Sibley
Mr. Burr	Mr. King	Mr. Simmons
Mr. Cadwell	Mr. Krum	Mr. Speaker
Mr. Carpenter	Mr. J. W. Lewis	Mr. Springer

Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lytle	Mr. C. Strong
Mr. Cee	Mr. Mallory	Mr. E. Strong
Mr. Conklin	Mr. M'Cluer	Mr. Thorn
Mr. Cram	Mr. M'Kie	Mr. Tillinghast
Mr. Crowell	Mr. M'Neil	Mr. Tomlinson
Mr. Cuykendall	Mr. Moore	Mr. Tyrrel
Mr. Davis	Mr. Moseley	Mr. Van Bergen
Mr. Dayan	Mr. Murphy	Mr. Wager
Mr. Denniston	Mr. Niles	Mr. Waldron
Mr. Farwell	Mr. Ostrom	Mr. Wheeler
Mr. Finch	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Gray	Mr. W. S. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Palmer	Mr. Woodward
Mr. Groom	Mr. Parker	Mr. A. Woodworth
Mr. Hall	Mr. Patterson	Mr. W. Woodworth
Mr. Harvey	Mr. Peck	Mr. Wylie

96

Those who voted in the negative are

Mr. A. Hascall

I

The engrossed bill entitled "An act to incorporate the Oneonta and Franklin turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Baker	Mr. A. Hascall	Mr. Plumb
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Brooks	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Burke	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stevens

Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Neil	Mr. Van Bergen
Mr. Davis	Mr. Moore	Mr. Wager
Mr. Dayan	Mr. Moseley	Mr. Waldron
Mr. Denniston	Mr. Murphy	Mr. Wheeler
Mr. Farwell	Mr. Niles	Mr. Woodbury
Mr. Finch	Mr. P. W. Paddock	Mr. Woodward
Mr. Gray	Mr. Parker	Mr. A. Woodworth
Mr. Griswold	Mr. Patterson	Mr. W. Woodworth
Mr. Groom	Mr. Peck	Mr. Wylie

98

Those who voted in the negative are

Mr. J. Haskell	Mr. W. S. Paddock	Mr. Palmer
Mr. Ostrom		

4

*Ordered,* That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to incorporate the Troy orphan asylum," with the engrossed amendment, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	98	}
{	NAYS	00	}

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. J. Haskell	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Quackenboss
Mr. Brasher	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Jackson	Mr. Shepard
Mr. Burke	Mr. Jones	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson

Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Conklin	Mr. M'Cluer	Mr. Tillinghast
Mr. Crain	Mr. M'Kie	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Davis	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Murphy	Mr. Waldron
Mr. Denniston	Mr. Niles	Mr. Wheeler
Mr. Farwell	Mr. Ostrom	Mr. Wilcoxson
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. Woodward
Mr. Griswold	Mr. Palmer	Mr. A. Woodworth
Mr. Groom	Mr. Parker	Mr. W. Woodworth
Mr. Hall	Mr. Patterson	Mr. Wylie
Mr. Harvey	Mr. Peck	

98

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Judd offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the resolution heretofore adopted by this House, ordering an afternoon session, be, and the same is hereby rescinded.

Debates were had thereon; and the question being put whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 54 }  
{ NAYS 45 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Parker
Mr. Baker	Mr. Hicks	Mr. Powers
Mr. Barnes	Mr. Hiller	Mr. Preston
Mr. Brasher	Mr. Horton	Mr. Quackenboss
Mr. Brooks	Mr. Hough	Mr. Roosevelt
Mr. Burke	Mr. Jones	Mr. Seger
Mr. Burr	Mr. Judd	Mr. Shepard
Mr. Cadwell	Mr. King	Mr. Stetson
Mr. Carpenter	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Clinch	Mr. M'Cluer	Mr. Thorn
Mr. Conklin	Mr. M'Kie	Mr. Wetmore
Mr. Davis	Mr. Moseley	Mr. Wheeler

Mr. Dayan	Mr. Murphy	Mr. Wilcoxson
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. Woodward
Mr. Griswold	Mr. Palmer	Mr. W. Woodworth 54

Those who voted in the negative are

Mr. Anthony	Mr. Hendee	Mr. Plumb
Mr. Benjamin	Mr. Hildreth	Mr. Richmond
Mr. Bennet	Mr. Hillyer	Mr. Shafer
Mr. G. Brown	Mr. Jackson	Mr. D. Sibley
Mr. Burhans	Mr. T. Lewis	Mr. Simmons
Mr. Barnum	Mr. Livingston	Mr. Speaker
Mr. C. Clark	Mr. Mallory	Mr. Springer
Mr. Coe	Mr. M'Neil	Mr. Tillinghast
Mr. Crowell	Mr. Moore	Mr. Tomlinson
Mr. Cuykendall	Mr. Niles	Mr. Tyrrel
Mr. Denniston	Mr. Ostrom	Mr. Van Bergen
Mr. Farwell	Mr. Patterson	Mr. Wager
Mr. Groom	Mr. Peck	Mr. Waldron
Mr. Harvey	Mr. Pettit	Mr. A. Woodworth
Mr. A. Hascall	Mr. Philo	Mr. Wylie 45

*Ordered*, That Mr. Blatchly have leave of absence for ten days, Mr. Carr for three days, Mr. Lockwood for four days, and Mr. Odell for seven days.

On motion of Mr. Lytle,

*Resolved*, That the bill to incorporate the village of Jordan in the county of Onondaga, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Lytle, Mr. Pettit and Mr. Parker, be the said committee.

On motion of Mr. W. Woodworth,

*Resolved*, That the committee of the whole be discharged from the further consideration of the engrossed bill from the Senate, entitled "An act to amend an act to incorporate the New-Paltz academy, passed April 12th, 1833," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burhans, Mr. Cash and Mr. J. W. Lewis, be the said committee.

Mr. Hough offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That when this House adjourns, it adjourn to meet again at three o'clock this afternoon; and that it meet daily hereafter at that time, to hold its afternoon sessions.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the bill upon the general orders, entitled "An act in relation to the measurement and inspection of lumber," be printed.

Mr. Burke offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the question on the final passage of the bill entitled "An act to incorporate the New-York Freewill Baptist home missionary society," be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

On motion of Mr. Wager,

*Resolved*, That George Clark be permitted to withdraw his petition, praying for damage done him by the construction of the Erie canal, and the documents accompanying the same.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The Senate sent for concurrence, a bill entitled "An act regulating the weighing of merchandize the city of New-York."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 20th, 1831;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, altered the title to "An act to abolish imprisonment for debt," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 76 }  
{ NAYS 13 }



The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams.	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Baker	Mr. Hendee	Mr. Plumb
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Jackson	Mr. Simmons
Mr. Burke	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. Cadwell	Mr. Lytle	Mr. Stevens
Mr. Carpenter	Mr. Mallory	Mr. C. Strong
Mr. Cash	Mr. M'Cluer	Mr. E. Strong
Mr. A. Clark	Mr. M'Neil	Mr. Thorn
Mr. C. Clark	Mr. Moore	Mr. Tillinghast
Mr. J. Clark	Mr. Murphy	Mr. Tomlinson
Mr. Coe	Mr. Niles	Mr. Tyrrel
Mr. Conklin	Mr. Ostrom	Mr. Van Bergen
Mr. Crowell	Mr. P. W. Paddock	Mr. Wager
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Waldron
Mr. Davis	Mr. Palmer	Mr. Wilcoxson
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Finch	Mr. Peck	Mr. Wylie
Mr. Griswold		

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Those who voted in the negative are

Mr. Clinch	Mr. M'Kie	Mr. Wetmore
Mr. Gray	Mr. Roosevelt	Mr. Wheeler
Mr. J. Haskell	Mr. Shepard	Mr. A. Woodworth
Mr. King	Mr. D. Sibley	Mr. W. Woodworth
Mr. Livingston		

13

*Ordered,* That the bill be engrossed.

And then the House adjourned until ten o'clock to-morrow morning.

FRIDAY, APRIL 3, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the towns of Cortland, Yorktown and Somers in the county of Westchester, praying for the appointment of commissioners to alter a certain road therein, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of Union Society, and the wardens and vestrymen of St. Luke's Church in the town of Somers in the county of Westchester, praying for the passage of an act authorising them to sell certain joint property, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of sundry inhabitants of the county of Ulster, praying for the passage of an act authorising the supervisors of said county to raise money by tax, to build a bridge over the Shawangunk-kill in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

Mr. Stevens, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works;'" the bill entitled "An act to incorporate the Rochester water-works company;" the bill entitled "An act to provide for the payment of costs in certain cases;" the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company;" the bill entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834;" the bill entitled "An act to incorporate the Schuylerville bridge company;" the bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833;" the bill entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn;" and the bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works,'" be referred to a select

committee, consisting of Mr. Livingston, Mr. Seger and Mr. Adams; that the bill entitled "An act to incorporate the Rochester water-works company," be referred to a select committee, consisting of Mr. D. Sibley, Mr. King and Mr. Parker; that the bill entitled "An act to provide for the payment of costs in certain cases," be referred to a select committee, consisting of Mr. Hough, Mr. Shafer and Mr. A. Hascall; that the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company," be referred to a select committee, consisting of Mr. Conklin, Mr. Griswold and Mr. Jackson; that the bill entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," be referred to a select committee, consisting of Mr. Adams, Mr. Wager and Mr. Clinch; that the bill entitled "An act to incorporate the Schuylerville bridge company," be referred to a select committee, consisting of Mr. Beecher, Mr. Tomlinson and Mr. Hicks; that the bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833," be referred to a select committee, consisting of Mr. Plumb, Mr. Moseley and Mr. Pettit; that the bill entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn," be referred to a select committee, consisting of Mr. Brasher, Mr. Roosevelt and Mr. Parker; and that the bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians," be referred to a select committee, consisting of Mr. A. Hascall, Mr. J. Haskell and Mr. Patterson, to be by the said committees severally reported complete.

Mr. C. Strong, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Jefferson, praying for an alteration of the law authorising the construction of a bridge over the Chaumont river in said county, reported a bill, entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1823;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. C. Strong, Mr. Farwell and Mr. Dayan, to report the same complete.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of Stephen Van Rensselaer and others, praying for the incorporation of the New-York State Agricultural School, reported a bill, entitled "An act to authorise the establishment of the New-York State agricultural school;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Patterson, from the committee on the petitions of aliens, to which was referred the petition of Isaac Lagrange, an alien, pray-

ing legislative relief, reported, that the required legal notices do not accompany the said petition; for which reason, the committee are of the opinion that the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the petition of sundry inhabitants of the high school district in the city of Rochester, praying for a repeal of the law in relation to said district, passed March 15th, 1827, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Lake-Pleasant in the county of Hamilton, praying for the erection of a new town therefrom, reported a bill, entitled "An act to erect the town of Morehouse in the county of Hamilton;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Adams, Mr. Wager and Mr. Odell, to report the same complete.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Dutchess, praying for an act to revive and amend the Dutchess Union Turnpike Company, reported a bill, entitled "An act to incorporate the Dover and Union-Vale turnpike company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Judd, Mr. Thorn and Mr. Barnes, to report the same complete.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo,'" reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burhans, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act to incorporate the New-Paltz academy, passed April 12th, 1833," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again

read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Brasher, from the select committee to which was referred sixteen petitions severally made by John Lorimer Graham, Reuben Withers, Daniel Jackson, Ellis Potter, John Devoo, Peter Ferricre, John Downes, John Miller, John Morrell, Lewis Sandford, Peter Wyckoff, John C. Halsey, William Lake, Thomas Lake, Richard Lake, James Gould, Silas Butler, Charles O. Handy, William Sinclair, Charles Dickinson, James B. Taylor, Joshua Webb, John S. M'Kibbin and Thomas Nicholls, praying for the passage of a law granting to them, respectively, certain lands, and lands covered with water in the East river, adjacent to land owned by them, respectively, in the village of Williamsburgh, county of Kings, reported; and asked leave to introduce a bill.

[See Document No. 350.]

*Ordered*, That leave be given to bring in such bill.

Mr. Brasher, according to leave, brought in the said bill, entitled "An act granting certain land and land under water in the village of Williamsburgh, county of Kings, to certain persons therein named, owners of the adjacent upland, and authorising them to erect a dock or docks therein;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Niles, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to authorise the trustees of the Mayville Baptist society to sell certain real estate;" the engrossed bill entitled "An act relating to the support of paupers in St. Lawrence county;" the engrossed bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York;" the engrossed bill entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors;" the engrossed bill entitled "An act to incorporate the Sable iron company;" the engrossed bill entitled "An act to incorporate the Western eye and ear infirmary;" the engrossed bill entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange;" and the engrossed bill entitled "An act to appoint commissioners to lay out a road from Pike in the county of Allegany, to the village of Attica in the county of Genesee;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Moseley, from the select committee to which was referred the bill entitled "An act to loan money to the county of Erie," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Moseley**, from the select committee to which was referred the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Moseley**, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1883," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Tomlinson**, from the select committee to which was referred the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville in the towns of Peru and Chesterfield," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Hough**, from the select committee to which was referred the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A communication from the Canal Board was received and read, in the words following, to wit:

The Canal Board respectfully represent to the Legislature, that much embarrassment is experienced by the persons navigating the Champlain canal, as well as by the canal superintendents and the State hands, growing out of the exaction of toll for crossing the towing-path bridge which is connected with the toll-bridge of the Cohoes Bridge Company, across the Mohawk river.

[See Document No. 364.]

*Ordered*, That the said report be referred to the committee on canals and internal improvements.



A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, to whom was referred by the Assembly, the petition of John Ridden and Catharine his wife, in relation to certain escheated lands in the city of New-York, respectfully report:

[See Document No. 349.]

*Ordered,* That the said report be referred to the committee on public lands.

A message from the Senate was read, informing that they have concurred with this House in its amendments to the bill entitled "An act to revive and continue the act entitled 'An act to incorporate the Sodus canal company,' passed March 19th, 1829," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered,* That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend and extend the charter of the Cairo bridge company," with the amendment therewith delivered.

The said bill and amendment were read; and the amendment having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendment to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hendee	Mr. Richmond
Mr. Anthony	Mr. Hicks	Mr. Ringgold
Mr. Baker	Mr. Hildreth	Mr. Roosevelt
Mr. Barnes	Mr. Hiller	Mr. Seger
Mr. Beecher	Mr. Hillyer	Mr. Shafer
Mr. Benjamin	Mr. Horton	Mr. Shepard
Mr. Brasher	Mr. Hough	Mr. D. Sibley
Mr. Brooks	Mr. Jones	Mr. M. H. Sibley
Mr. G. Brown	Mr. Judd	Mr. Simmons
Mr. Burhans	Mr. Krum	Mr. Speaker
Mr. Burke	Mr. J. W. Lewis	Mr. Springer

Mr. Barnum	Mr. T. Lewis	Mr. Stetson
Mr. Burr	Mr. Livingston	Mr. Stevens
Mr. Cadwell	Mr. Lytle	Mr. C. Strong
Mr. Carpenter	Mr. M'Cluer	Mr. E. Strong
Mr. Cash	Mr. M'Kie	Mr. Thorn
Mr. C. Clark	Mr. M'Neil	Mr. Tillinghast
Mr. J. Clark	Mr. Moore	Mr. Tomlinson
Mr. Cluch	Mr. Moseley	Mr. Tyrrel
Mr. Coe	Mr. Niles	Mr. Van Bergen
Mr. Conklin	Mr. Ostrom	Mr. Wager
Mr. Crowell	Mr. P. W. Paddock	Mr. Waldron
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Warren
Mr. Davis	Mr. Patterson	Mr. Wetmore
Mr. Denniston	Mr. Peck	Mr. Wheeler
Mr. Farwell	Mr. Pettit	Mr. Wilcoxson
Mr. Finch	Mr. Philo	Mr. Woodbury
Mr. Gray	Mr. Plumb	Mr. Woodward
Mr. Hall	Mr. Powers	Mr. A. Woodworth
Mr. A. Hascall	Mr. Preston	Mr. W. Woodworth
Mr. J. Haskell	Mr. Quackenboss	Mr. Wylie

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendment to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to abolish imprisonment for debt, and to punish fraudulent debtors," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 81 }  
{ NAYS 14 }

The ayes and noes being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Peck
Mr. Anthony	Mr. Hendee	Mr. Pettit
Mr. Baker	Mr. Hicks	Mr. Philo
Mr. Barnes	Mr. Hildreth	Mr. Plumb
Mr. Benjamin	Mr. Hiller	Mr. Powers
Mr. Bennet	Mr. Hillyer	Mr. Preston
Mr. Brasher	Mr. Horton	Mr. Richmond
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Jackson	Mr. M. H. Sibley
Mr. Burke	Mr. Jones	Mr. Simmons
Mr. Burr	Mr. Judd	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong



Mr. C. Clark	Mr. Lytle	Mr. E. Strong
Mr. J. Clark	Mr. Mallory	Mr. Thorn
Mr. Coe	Mr. M'Cluer	Mr. Tillinghast
Mr. Conklin	Mr. M'Kie	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Davis	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Waldron
Mr. Denniston	Mr. Ostrom	Mr. Warren
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Groom	Mr. Parker	Mr. Woodward
Mr. Hall	Mr. Patterson	Mr. Wylie

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Those who voted in the negative are

Mr. Clinch	Mr. Livingston	Mr. D. Sibley
Mr. Crosby	Mr. Quackenboss	Mr. Wetmore
Mr. Gray	Mr. Ringgold	Mr. Wheeler
Mr. J. Haskell	Mr. Roosevelt	Mr. A. Woodworth
Mr. King	Mr. Shepard	

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*Ordered,* That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act for the relief of Gilbert D. Dillon," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 63 }  
{ NAYS 85 }

Those who voted in the affirmative are

Mr. Baker	Mr. Hall	Mr. Powers
Mr. Barnes	Mr. J. Haskell	Mr. Preston
Mr. Benjamin	Mr. Hendee	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Richmond
Mr. Brasher	Mr. Hildreth	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Roosevelt
Mr. G. Brown	Mr. Krum	Mr. Seger
Mr. Burhans	Mr. J. W. Lewis	Mr. D. Sibley
Mr. Burke	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Burr	Mr. Lytle	Mr. Speaker
Mr. C. Clark	Mr. Mallory	Mr. Springer
Mr. J. Clark	Mr. M'Kie	Mr. Stetson
Mr. Clinch	Mr. M'Neil	Mr. E. Strong
Mr. Coe	Mr. Moore	Mr. Tillinghast
Mr. Crosby	Mr. Moseley	Mr. Tomlinson

Mr. Davis	Mr. Niles	Mr. Van Bergen
Mr. Dayan	Mr. Ostrom	Mr. Wetmore
Mr. Denniston	Mr. Parker	Mr. Woodbury
Mr. Farwell	Mr. Patterson	Mr. A. Woodworth
Mr. Finch	Mr. Pettit	Mr. W. Woodworth
Mr. Groom	Mr. Plumb	Mr. Wylie

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Those who voted in the negative are

Mr. Adams	Mr. Horton	Mr. Shepard
Mr. Anthony	Mr. Hough	Mr. Simmons
Mr. Beecher	Mr. Jackson	Mr. Stevens
Mr. Barnum	Mr. Jones	Mr. C. Strong
Mr. Cadwell	Mr. Judd	Mr. Thorn
Mr. Carpenter	Mr. King	Mr. Tyrrel
Mr. Conklin	Mr. Livingston	Mr. Wager
Mr. Crowell	Mr. M'Cluer	Mr. Waldron
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Warren
Mr. Gray	Mr. W. S. Paddock	Mr. Wheeler
Mr. A. Hascall	Mr. Peck	Mr. Woodward
Mr. Hiller	Mr. Philo	

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The engrossed bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases,' " was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,  
*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act relating to the support of paupers in St. Lawrence county," was read the third time.

Thereupon,

The title of the said bill being altered, by the unanimous consent of the House, to "An act relating to the support of paupers in the counties of St. Lawrence, Clinton and Franklin,"

*Ordered*, That the said bill be recommitted to a committee of the whole house.

On motion of Mr. M'Neil,

*Resolved*, That the bill entitled "An act to revive the act to incorporate the Niagara canal company, passed April 11th, 1823," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. M'Neil, Mr. A. Clark and Mr. Wager, be the said committee.

*Ordered*, That the resolution to reconsider the vote on the question of the final passage of the bill relating to equalizing the wards in the city of Albany, be referred to the committee appointed in pursuance of the forty-seventh rule of this House.

*Ordered*, That Mr. Harvey have leave of absence for six days.

Mr. Stetson gave notice that he would move a call of the House on the ninth day of April instant.

On motion of Mr. Gray,

*Resolved*, That the committee on grievances be discharged from the further consideration of the petition of John Campbell, and that the petitioner have leave to withdraw his petition and papers.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Wetmore; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Legislature will, on the eighth day of April instant, at twelve o'clock at noon, proceed to the choice of a Regent of the University of this State, in the place of Samuel Young, resigned.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

On motion of Mr. A. Hascall,

*Resolved*, That the bill concerning forgery and counterfeiting, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. A. Hascall, Mr. Moore and Mr. Denniston, be the said committee.

On motion of Mr. Tomlinson,

*Resolved*, That the bill entitled "An act relative to a fire-proof clerk's office in the county of Essex," be taken from the general orders, and referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Tomlinson, Mr. Stetson and Mr. King, be the said committee.

On motion of Mr. Hicks,

*Resolved*, That the committee of the whole be discharged from the consideration of the bill entitled "An act authorising the building of a bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh;" and that the said bill be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Hicks, Mr. Tomlinson and Mr. P. W. Paddock, be the said committee.

On motion of Mr. P. W. Paddock,

*Resolved*. That the committee of the whole be discharged from the consideration of the bill entitled "An act for the relief of the Mount-Pleasant academy;" and that the said bill be referred to a select committee to report complete.

Thereupon,  
**Ordered,** That Mr. P. W. Paddock, Mr. Hicks and Mr. King, be the said committee.

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act for the appointment of commissioners in other States, to take the proof and acknowledgment of deeds of lands in this State;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to report complete.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, APRIL 4, 1835.

**The House met pursuant to adjournment.**

The remonstrance of sundry inhabitants of the counties of Dutchess and Ulster, against any extension of the exclusive privileges of the Poughkeepsie and New-Paltz Ferry Company, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the county of Dutchess, praying for the passage of an act authorising the appointment of commissioners to lay out a road from the village of Poughkeepsie to Pine-Plains in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry citizens of Utica, against taxing them for the alteration of the termination of the Chenango canal, was read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

The petition of sundry inhabitants of the county of Monroe, praying for an amendment of the excise law, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the county of Westchester, against the alteration of a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of Evan M. Johnson, Henry Patchen and George M. Patchen of the city of Brooklyn, praying for the passage of an act authorising them to collect certain unpaid taxes in said city, was read, and referred to a select committee, consisting of Mr. Wager, Mr. Adams and Mr. Jackson.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the village of Fulton;" the engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville in the towns of Peru and Chesterfield;" and the engrossed bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act for the appointment of commissioners in other States, to take the proof and acknowledgment of deeds of lands in this State," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Shawangunk in the county of Ulster, praying for the passage of an act to authorise the supervisors of said county to raise money for the purpose of building a certain bridge, reported a bill, entitled "An act authorising money to be raised by tax, to build a bridge across the Shawangunk-kill in Ulster county;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Davis, Mr. W. Woodworth and Mr. Patterson, to report complete.

Mr. Livingston, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works,'" reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the amendment ordered to be engrossed, and the bill ordered to a third reading.

Mr. Dayan, from the select committee to which was referred the bill, entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1825," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was

directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Gray, from the committee appointed in pursuance of the forty-seventh rule of this House, to which was referred the resolution to reconsider the vote on the passage of the bill relative to equalizing the wards of the city of Albany, reported, that in the opinion of the committee, the said resolution does not require the votes of two-thirds of all the members elected to this House, to pass the same.

*Ordered,* That the question on agreeing to the report of the committee, be laid upon the table.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the engrossed bill from the Senate, entitled "An act directing a loan for the construction of the Chenango canal," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Conklin, from the select committee to which was referred the petition of Joseph Terry and his associates, asking for the passage of an act authorising them to construct a wharf at Oysterpond village, reported; and asked leave to introduce a bill.

[*See Document No. 352.*]

*Ordered,* That leave be given to bring in such bill.

Mr. Conklin, according to leave, brought in the said bill, entitled "An act to incorporate the Oysterpond village wharf company;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Conklin made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Conklin, and it was determined in the affirmative.

Mr. A. Hascall, from the select committee to which was referred the bill entitled "An act concerning forgery and counterfeiting," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. A. Hascall, from the select committee to which was referred the bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he



was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Cash, from the select committee to which was referred the bill entitled "An act to incorporate the Zoological Institute of the city of New-York," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. P. W. Paddock, from the select committee to which was referred the bill entitled "An act appointing commissioners to lay out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Lytle, from the select committee to which was referred the bill entitled "An act to incorporate the village of Jordan," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. M'Neil, from the select committee to which was referred the bill entitled "An act to revive the act to incorporate the Niagara canal company, passed April 11th, 1823," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Conklin, from the select committee to which was referred the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. King, from the select committee to which was referred the bill entitled "An act for the relief of the Mount-Pleasant academy," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place,

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and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Adams, from the select committee to which was referred the bill entitled "An act to erect the town of Morehouse in the county of Hamilton," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Gray, from the select committee to which was referred the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Parker, from the select committee to which was referred the bill entitled "An act to repeal so much of the Revised Statutes as imposes a tax of two mills per bushel on every manufacturer of salt in the town of Salina, who shall receive his supply of salt water from the reservoirs supplied by the pumps belonging to this State," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burhans, from the select committee to which was referred the bill entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the county of Westchester, and Slaughter's landing in the county of Rockland," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act to incorporate the Rochester water-works company," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Judd, from the select committee to which was referred the bill entitled "An act to incorporate the Dover and Union-Vale turnpike company," reported, that the committee had gone through



the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Rice, from the select committee to which was referred the petition of the Roman Catholic Benevolent Society of the city of New-York, praying for a change of its title, and an extension of its charter, reported; and asked leave to introduce a bill.

[*See Document No. 353.*]

*Ordered*, That leave be given to bring in such bill.

Mr. Rice, according to leave, brought in the said bill, entitled "An act relative to the Roman Catholic benevolent society in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Rice, Mr. Wetmore and Mr. Dayan, to report the same complete.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the appointment of commissioners in other States, to take the proof and acknowledgment of deeds of lands in this State;" the engrossed bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo;'" the engrossed bill entitled "An act to incorporate the Sailors' and Boatmen's friend society;" the engrossed bill entitled "An act to loan money to the county of Erie;" the engrossed bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads through the Indian reservation in said county,' passed April 24th, 1833;" the engrossed bill entitled "An act to incorporate the Genesee seminary," and the engrossed bill entitled "An act to incorporate the village of Mount-Morris," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act regulating the weighing of merchandize in the city of New-York," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be referred to a select committee to report complete.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Thereupon,

*Ordered*, That Mr. Denniston, Mr. Wager and Mr. Crosby, be the said committee.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

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## TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act authorising the supervisors of the county of Washington to raise money by tax, to defray the expense of building and repairing bridges in the town of Granville."

W. L. MARCY.

*Albany, April 3, 1835.*

A communication from the Canal Board was received and read, in the words following, to wit:

The Canal Board, on the reference from the Assembly of the petition of Zebulon Douglass, accompanied by a report from the committee on claims, and a bill for the relief of the petitioner, respectfully report:

[See Document No. 354.]

*Ordered,* That the said report be committed to a committee of the whole when on the bill to which it relates.

The Senate sent for concurrence, a bill entitled "An act to amend the act entitled 'An act to incorporate the Washington county mutual insurance company;'" a bill entitled "An act to revive and amend the charter of the Poughkeepsie silk company;" and a bill entitled "An act to provide for deepening the waters adjacent to the wharves, piers, docks, bulkheads and shores in the city of New-York."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to amend the act entitled 'An act to incorporate the Washington county mutual insurance company,'" was referred to the committee on the incorporation and alteration of the charters of banking and insurance companies; the bill entitled "An act to revive and amend the charter of the Poughkeepsie silk company," was referred to the committee on trade and manufactures; and the bill entitled "An act to provide for deepening the waters adjacent to the wharves, piers, docks, bulkheads and shores in the city of New-York," was referred to a select committee, consisting of the members attending this House from the city and county of New-York, severally to consider and report thereon.

A message from the Senate was read, informing that they have passed the bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

The Senate returned the bill entitled "An act to amend and extend the charter of the Cairo bridge company."

*Ordered,* That the Clerk deliver the said bill to the Governor.

Mr. Hicks, from the select committee to which was referred the bill entitled "An act authorising the building of a bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh," reported, that the committee had gone through

the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of the Mount-Pleasant academy," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

*Ordered*, That Mr. Philo have leave of absence for one week, and Mr. J. W. Lewis for three days.

*Ordered*, That the committee on the incorporation of charitable and religious societies, be discharged from the consideration of the petition of the trustees of the Union Society, and the wardens and vestry of St. Luke's Church in the town of Somers in the county of Westchester, and that the same be referred to the committee on the judiciary.

On motion of Mr. Jackson,

*Resolved*, That the bill authorising Isaac and Elijah Peck to erect a dock adjacent to their land in Flushing, Queens county, be taken from the general orders, and referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Jackson, Mr. Conklin and Mr. P. W. Paddock, be the said committee.

On motion of Mr. Brasher,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill granting certain lands under water in the village of Williamsburgh, Kings county, to certain persons therein named, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Brasher, Mr. Wager and Mr. Jackson, be the said committee.

On motion of Mr. Gray,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act to incorporate the East creek turnpike company, and that the same be referred to a select committee to report complete.

*Ordered*, That Mr. Gray, Mr. Tillinghast and Mr. Loomis, be the said committee.

Mr. Moore offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the resolutions now before the House, proposing amendments to the Constitution of this State, in relation to the alteration of the judiciary system, be referred to a select committee of five, to report thereon.

*Ordered*, That the said resolution be laid upon the table.

Mr. Woodward offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the vote on the final passage of the bill entitled "An act for the relief of Gilbert D. Dillon," be reconsidered.

**Ordered,** That the said resolution be laid upon the table.

Mr. Thorn offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** (if the Senate concur,) That a joint committee be appointed to report to the Legislature, fixing a day for an adjournment of the two houses; and also whether, in their opinion, it would be expedient to hold an extra session, for the purpose of completing unfinished business.

**Ordered,** That the said resolution be laid upon the table.

On motion of Mr. Tyrrel,

**Resolved,** That the bill entitled "An act to amend the act entitled 'An act to subject certain debts owing to non-residents, to taxation,' passed April 27th, 1833," be referred to a select committee of one from each Senate district, to report complete.

Thereupon,

**Ordered,** That Mr. Tyrrel, Mr. Ringgold, Mr. Cash, Mr. Wilcoxson, Mr. Horton, Mr. Dayan, Mr. Crary and Mr. Barnum, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Crowell, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

The said report being amended,

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

**Ordered,** That the bill be engrossed.

And then the House adjourned until ten o'clock on Monday morning next.

MONDAY, APRIL 6, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the city of Utica, against the passage of an act taxing the inhabitants of said city for defraying the expense of changing the northern termination of the Chenango canal, was read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

The remonstrance of the Canaan and Union Village Turnpike Road Company, against the construction of a rail-road from Greenbush to West-Stockbridge, was read, and committed to the committee of the whole when on the bill upon that subject.

Five several petitions of sundry inhabitants of the counties of Westchester and Putnam, praying for an alteration of the road leading from Somerstown plane to the village of Peekskill, were read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry manufacturers of flour in the city of Rochester, praying for the passage of an act prescribing a uniform measure for bran and shorts in this State, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. E. Strong and Mr. Mallory.

The remonstrance of sundry inhabitants of the county of Erie, against the incorporation of the village of Aurora in said county, was read, and referred to the committee on the incorporation of cities and villages.

Mr. Adams, from the committee on grievances, to which was referred the petition of John Herkimer, for damages sustained by the construction of the Erie canal, reported; concluding, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

[See Document No. 356.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Stephen Tuttle and others, for a remuneration for damages sustained by the flood and consequent overflowing of the Chemung canal, reported; concluding, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

[See Document No. 355.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Quackenboss, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to revive and amend the charter of the Poughkeepsie silk company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on the incorporation and alteration of the charters of banking and insurance companies, to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the Washington county mutual insurance company,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered,* That the said bill be committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the stockholders of the Cornwall and New-Windsor Turnpike Company, praying for the passage of an act authorising them to relinquish a part of their road, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall turnpike company,' passed March 30th, 1809;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Denniston, Mr. Cash and Mr. Anthony, to report the same complete.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the southern towns in the county of Schoharie, praying for the incorporation of a company to construct a turnpike from the village of Gilboa, to the academy in the village of Jefferson, reported a bill, entitled "An act to incorporate the Gilboa and Jefferson turnpike road company;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Krum, Mr. Hiller and Mr. Van Borgen, to report the same complete.

Mr. Denniston, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to regulate the weighing of merchandize in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Jackson, from the select committee to which was referred the bill entitled "An act authorising Isaac Peck and Elijah Peck to erect a dock in the town of Flushing, Queens county," reported,

that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Parker, from the committee on the manufacture of salt, to which was referred the petition of sundry inhabitants of the village of Liverpool in the county of Onondaga, praying for the passage of an act authorising the superintendent of the salt springs to take water from the Oswego canal, for the purpose of propelling pumps at said village, together with the report of the Canal Commissioners thereon, reported a bill, entitled "An act authorising the superintendent of the Onondaga salt springs, with the consent of the canal commissioners, to take water from the Oswego canal, to carry a pump or pumps to raise salt water to supply the manufacturers of salt at the village of Liverpool;" which was read the first time, and by unanimous consent was also read a second time, and referred to a committee of the whole house.

Mr. Hough, from the select committee to which was referred the bill entitled "An act to provide for the payment of cases," reported, that the committee had gone through the bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Rice, from the select committee to which was referred the bill entitled "An act relative to the Roman Catholic society in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Jackson, from the select committee to which was referred the bill entitled "An act granting certain lands under water in the village of Williamsburgh, county of Kings, to certain persons therein named, owners, and authorising them to erect a dock or docks thereon," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act relative to a fire-proof clerk's office in the county of Essex," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.



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**Ordered,** That the bill be engrossed.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the Zoological Institute of the city of New-York;" the engrossed bill entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1833;" the engrossed bill entitled "An act to erect the town of Morehouse in the county of Hamilton," and the engrossed bill entitled "An act to incorporate the Dover and Union-Vale turnpike company," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act relating to public instruction."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on colleges, academies and common schools, to consider and report thereon.

**Ordered,** That Mr. W. Woodworth and Mr. Barnes have leave of absence for four days each, and Mr. Peck and Mr. Shafer for one week each.

On motion of Mr. Jackson,

**Resolved,** That the committee of the whole be discharged from the further consideration of the bill entitled "An act to extend the limits of the village of Williamsburgh," and that the same be referred to a select committee to report complete.

Thereupon,

**Ordered,** That Mr. Jackson, Mr. Conklin and Mr. Gray, be the said committee.

On motion of Mr. Bennet,

**Resolved,** That the committee of the whole be discharged from the further consideration of the bill to divide the town of Catlin in the county of Tioga, and that the same be referred to a select committee to report complete.

Thereupon,

**Ordered,** That Mr. Cash, Mr. Baker and Mr. Coe, be the said committee.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Thorn; the same being amended, was again read, in the words following, to wit:

**Resolved,** (if the Senate concur,) That a joint committee be appointed to report to the Legislature, fixing a day for an adjournment of the two houses.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Thereupon,

**Ordered,** That Mr. Thorn, Mr. Adams, Mr. Wetmore, Mr. Palmer and Mr. D. Sibley, be of the said committee on the part of this House.

**Ordered,** That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.



The House then resolved itself into a committee of the whole, on the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 29th, 1833, and to extend the time for organizing the same," and the bill entitled "An act to extend for a limited period the charter of the North river insurance company of the city of New-York;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported, that the committee had gone through the said bills, and agreed to the same severally without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bills be engrossed.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to continue the charter of the Franklin fire insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1833;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered,* That the said bill be referred to a select committee, consisting of Mr. Jackson, Mr. Conklin and Mr. Phillips, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered,* That the said bill be referred to a select committee, consisting of Mr. M'Cluer, Mr. Woodward and Mr. Moseley, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the incorporation of the Genesee mutual fire insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Richmond, Mr. T. Lewis and Mr. Tomlinson, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Ontario and Livingston county mutual insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. M. H. Sibley, Mr. Patterson and Mr. Hildreth, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Wayne county mutual insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Benjamin, Mr. Wylie and Mr. Parker, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the incorporation of the Montgomery mutual fire insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Adams, Mr. Odell and Mr. Loomis, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Albany county mutual insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Livingston, Mr. Seger and Mr. Waldron, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Westchester and Putnam insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Crosby, Mr. P. W. Paddock and Mr. Jackson, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to incorporate the Clinton and Essex mutual fire insurance company;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Tomlinson, Mr. Stetson and Mr. P. W. Paddock, to report the same complete.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relating to the support of paupers in the counties of St. Lawrence, Clinton and Franklin;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burke, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said report be laid upon the table.

And then the House adjourned until ten o'clock to-morrow morning.

## TUESDAY, APRIL 7, 1835.

The House met pursuant to adjournment.

The memorial of sundry inhabitants of the city of Albany, in favor of the passage of the bill relative to the equalization of the wards of the city of Albany, was read, and ordered to be laid upon the table.

The memorial of sundry inhabitants of the county of Monroe, praying for an amendment of the excise law, was read, and referred to the select committee on that subject, of which Mr. D. Sibley is chairman.

The remonstrance of sundry inhabitants of the county of Erie, against the passage of an act authorising the supervisors of said county to raise money by tax, to improve a certain road in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the grand jurors of the county of Clinton, praying for the passage of an act abolishing the January term of the court of common pleas in said county, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Rockland, praying for the establishment of a fire company in the village of Samsondale in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the city of New-York, praying for the passage of an act authorising the appointment of commissioners to examine into the state of the public schools in said city, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Oneida, praying for the repeal of the law which prohibits botanic practice, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry members of the bar of the county of Washington, praying for an amendment of the Constitution, in relation to the judiciary system, was read, and ordered to be laid upon the table.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to revive the act to incorporate the Niagara canal company, passed April 11th, 1822;" the engrossed bill entitled "An act to repeal so much of the Revised Statutes as imposes a tax of two mills per bushel on every manufacturer of salt in the town of Salina, who shall receive his supply of salt water from the reservoirs supplied by the pumps belonging to this State;" the engrossed bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians;" the engrossed bill entitled "An act concerning forgery and counterfeiting;" the engrossed bill entitled "An act authorising the building of a bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh;" the engrossed bill entitled "An act to incorporate the Oysterpond wharf company;" the engrossed bill entitled "An act appointing commissioners to lay out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham;" the engrossed bill entitled "An act to amend the Revised Statutes in relation to laying out public highways;" the engrossed bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island;" the engrossed bill entitled "An act authorising Isaac Peck and Elijah Peck to erect a dock in the town of Flushing in the county of Queens;" the engrossed bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company," and the engrossed bill entitled "An act to incorporate the Rochester water-works company," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the memorial of sundry inhabitants of the county of Erie, residing upon lands claimed to be owned by the Holland Land Company, praying relief from certain oppressive measures of said company, reported, that in the opinion of the committee, the petitioners ought to have leave to withdraw their petition.

**Ordered,** That the said report be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the memorial of John C. Ball of the city of New-York, praying a divorce, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkson in the county of Rockland;" the engrossed bill entitled "An act to extend for a limited period the charter of the North river insurance company of the city of New-York;" the engrossed bill entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 29th, 1833, and to extend the time for organizing the same;" the engrossed bill entitled "An act relative to the Roman Catholic benevolent society in the city of New-York;" the engrossed bill entitled "An act to provide for the payment of costs in certain cases," and the engrossed bill entitled "An act relative to a fire-proof clerk's office in the county of Essex," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. Livingston, from the majority of the committee on the judiciary, to which was referred the resolution of this House of the twenty-sixth of March last, instructing the said committee to inquire into the expediency of reducing the fees of the register and assistant register in the Court of Chancery, and the several clerks of the Supreme Court, reported, that in the opinion of the committee, it is inexpedient to legislate upon the subject at the present session.

Debates were had thereon; and the question being put whether the House would agree with the committee in their said report, it was determined in the negative.

{ NAYS 49 }  
{ AYES 42 }

The ayes and noes being required by ten members,

Those who voted in the negative are

Mr. Beecher  
Mr. Benjamin  
Mr. Blatchly  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown

Mr. Hildreth  
Mr. Hillyer  
Mr. Horton  
Mr. Jones  
Mr. T. Lewis  
Mr. M'Cluer

Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. M. H. Sibley  
Mr. C. Strong  
Mr. E. Strong

Mr. Burke	Mr. M'Kie	Mr. Suffern
Mr. Burr	Mr. M'Neil	Mr. Tillinghast
Mr. Carpenter	Mr. Moore	Mr. Tomlinson
Mr. C. Clark	Mr. Moseley	Mr. Tyrrel
Mr. Conklin	Mr. Murphy	Mr. Waldron
Mr. Crosby	Mr. Niles	Mr. Warren
Mr. Farwell	Mr. Patterson	Mr. Woodbury
Mr. Griswold	Mr. Pettit	Mr. Woodward
Mr. J. Haskell	Mr. Plumb	Mr. A. Woodworth
Mr. Hendee	Mr. Richmond	Mr. Wylie
Mr. Hicks		

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Those who voted in the affirmative are

Mr. Adams	Mr. Denniston	Mr. Lytle
Mr. Anthony	Mr. Finch	Mr. Odell
Mr. Baker	Mr. Gray	Mr. P. W. Paddock
Mr. Bennet	Mr. Groom	Mr. Palmer
Mr. Burhans	Mr. Hertell	Mr. Parker
Mr. Barnum	Mr. Hiller	Mr. Powers
Mr. Cadwell	Mr. Hough	Mr. Preston
Mr. Cash	Mr. Ingersoll	Mr. Quackenboss
Mr. A. Clark	Mr. Jackson	Mr. Rice
Mr. J. Clark	Mr. Judd	Mr. Speaker
Mr. Coe	Mr. King	Mr. Stetson
Mr. Cuykendall	Mr. Krum	Mr. Thorn
Mr. Davis	Mr. Livingston	Mr. Wetmore
Mr. Dayan	Mr. Loomis	Mr. Wilcoxson

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*Ordered,* That the said report be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the resolution of this House of the twenty-fourth instant, instructing the said committee to inquire as to the expediency of amending the forty-second section of part second, title first, chapter eighth, article third of the Revised Statutes, so as to exempt from the limitation of suits therein specified, complainants unable to prosecute from want of means to carry on such suit, &c. reported, that in the opinion of the committee, it is inexpedient to legislate upon the subject at this time.

*Ordered,* That the said report be laid upon the table.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act relating to public instruction," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Gray, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to in-



corporate the East creek turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Adams, from the select committee to which was referred the bill entitled "An act for the incorporation of the Montgomery mutual fire insurance company," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Cash, from the select committee to which was referred the bill entitled "An act to divide the town of Catlin in the county of Tioga," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crosby, from the select committee to which was referred the bill entitled "An act to incorporate the Westchester and Putnam insurance company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to incorporate the Albany county mutual insurance company," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Jackson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1833," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Jackson, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate and vest certain powers in the freeholders and inhabitants of the village of Williamsburgh in the county of Kings,' passed

April 14, 1827," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Roosevelt, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to provide for deepening the waters adjacent to the wharves, piers, docks, bulk-heads and shores in the city of New-York," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Denpiston, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall turnpike company,' passed March 30, 1809," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Beecher, from the select committee to which was referred the bill entitled "An act to incorporate the Schuylerville bridge company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act relative to the Mountain turnpike road in the county of Schoharie."

Also the bill entitled "An act to amend and extend the charter of the Cairo bridge company."

W. L. MARCY.

*Albany, April 6, 1835.*

Two several messages from the Senate were read, informing that they have concurred with this House in its amendments to the bill entitled "An act to establish the western boundary line of the village of Le Roy, and to confirm certain proceedings of the inhabitants and officers thereof," and the bill entitled "An act to incorpo-



rate the Troy orphan asylum," and have amended the same accordingly.

The said amended bills having been examined,

*Ordered*, That the Clerk return the same to the Senate.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of the third instant, fixing upon the eighth instant for choosing a regent of the University, in the place of Samuel Young, resigned.

A communication from Benjamin Wright, was received and read, in the words following, to wit:

*New-York, April 3, 1835.*

TO THE HON. THE SPEAKER OF THE ASSEMBLY.

SIR,

In anticipation of proceeding shortly as engineer of the New-York and Erie rail-road, to locate the route permanently, I find the maps and profiles returned by me to the Secretary of State, under the law providing for the survey, are very essential to my object.

I take the liberty, therefore, through you, to request of the Honorable Body over which you preside, an order allowing me to use the said maps and profiles for the purpose specified; engaging on my part to preserve the same carefully as possible, and to return them whenever required by the Legislature.

I address myself to you on this occasion, presuming that a resolution of the House, directing the delivery of the maps, &c. will be all that is needful; and believing that there will be no objection to granting the request for the use expressed,

I have the honor to be,

Sir, very respectfully,

Your obedient servant,

BENJAMIN WRIGHT.

Thereupon,

Mr. Burhans offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Secretary of State be directed to deliver to Benjamin Wright the maps and profiles relating to the survey of the New-York and Erie rail-road, on his filing in the Secretary's office a written engagement to return the same within such time as the Secretary of State shall direct.

*Ordered*, That the said resolution be laid upon the table.

The engrossed bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act concerning forgery and counterfeiting," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to erect the town of Morehouse in the county of Hamilton," was read the third time.

*Resolved*, That the bill do pass.

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The engrossed bill entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkstown in the county of Rockland," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville in the towns of Peru and Chesterfield," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising Isaac Peck and Elijah Peck to erect a dock in the town of Flushing in the county of Queens," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Cattenango landing to Oneida lake," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to loan money to the county of Erie," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the appointment of commissioners in other States, to take the proof and acknowledgment of deeds of lands in this State," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to amend the Revised Statutes in relation to laying out public highways," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act appointing commissioners to lay out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham," was read the third time.

Debates were had thereon; and

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 83 }  
{ NAYS 00 }

The ayes and noes being required by ten members,

**Those who voted in the affirmative are**

Mr. Adams	Mr. J. Haskell	Mr. Powers
Mr. Anthony	Mr. Hendee	Mr. Preston
Mr. Baker	Mr. Herttell	Mr. Quackenboss
Mr. Beecher	Mr. Hildreth	Mr. Richmond
Mr. Benjamin	Mr. Horton	Mr. Ringgold
Mr. Bennet	Mr. Hough	Mr. Roosevelt
Mr. Brooks	Mr. Ingersoll	Mr. Seger
Mr. A. Brown	Mr. Jackson	Mr. Shafer
Mr. G. Brown	Mr. Jones	Mr. Shepard
Mr. Burke	Mr. Judd	Mr. D. Sibley
Mr. Barnum	Mr. King	Mr. M. H. Sibley
Mr. Burr	Mr. Krum	Mr. Speaker
Mr. Cadwell	Mr. T. Lewis	Mr. Springer
Mr. A. Clark	Mr. Lytle	Mr. Stetson
Mr. J. Clark	Mr. Mallory	Mr. E. Strong
Mr. Clinch	Mr. M'Cluer	Mr. Suffern
Mr. Coe	Mr. M'Kie	Mr. Thorn
Mr. Conklin	Mr. M'Neil	Mr. Tillinghast
Mr. Crain	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Moseley	Mr. Tyrrel
Mr. Cuykendall	Mr. Murphy	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Warren
Mr. Dayan	Mr. P. W. Paddock	Mr. Wheeler
Mr. Denniston	Mr. Palmer	Mr. Wilcoxson
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. A. Woodworth
Mr. Gray	Mr. Pettit	Mr. Wylie
Mr. Griswold	Mr. Plumb	

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The engrossed bill entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson," passed March 12th, 1823," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act relative to a fire-proof clerk's office in the county of Essex," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act to provide for the payment of costs in certain cases," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The Senate sent for concurrence, a bill entitled "An act authorising the construction of a lock to connect the Chenango canal with the Chenango river," and a bill entitled "An act to authorise the supervisors of the county of Sullivan to increase the bounty on wolves."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled

"An act authorising the construction of a lock to connect the Chenango canal with the Chenango river," was referred to the committee on canals and internal improvements; and the bill entitled "An act to authorise the supervisors of the county of Sullivan to increase the bounty on wolves," was referred to a select committee, consisting of Mr. Suffern, Mr. Burke and Mr. Cash, severally to consider and report thereon.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Waterloo in the county of Seneca,' passed April 9th, 1824," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act for the relief of John Wilkinson," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany," with the amendments therewith delivered.

*Ordered,* That the said bill be laid upon the table.

Mr. Dayan offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved,* That a committee of two from each Senate district be appointed, to read for the third time all bills for the creation of turnpike companies, insurance companies, rail-road companies, and bills for the incorporation of villages and cities; that no bill so read shall be reported by such committee, unless it be assented to by a quorum of such committee; and that bills thus read, must be again read in the House upon the request of any member.

*Ordered,* That the said resolution be laid upon the table.

On motion of Mr. Judd,

*Resolved,* That the use of the Assembly chamber be appropriated to the Republican State Convention, on Thursday afternoon of this week.

On motion of Mr. A. Clark,

*Resolved,* That the committee of the whole be discharged from the further consideration of the bill authorising the supervisors of the county of Orleans to raise money to make a road across Tonawanda swamp in said county, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered,* That Mr. A. Clark, Mr. Benjamin and Mr. Crain, be the said committee.

On motion of Mr. A. Hascall,

*Resolved,* That the New-York and Harlem Rail-Road Company,

by their president and a majority of the directors of said company, report to this House, without delay, a list of the present stockholders, with the amount of stock owned by each individual stockholder; the amount actually expended during the past year on said road, and the whole distance finished since the commencement of the work, together with the estimate of time and expense for completing the same, and also the actual amount of stock yet remaining unsold.

On motion of Mr. Hough,

*Resolved*, That the bill in relation to the west branch feeder of the Chenango canal, be made the special order for the fifteenth day of April instant.

Mr. M. H. Sibley gave notice that he would, on some future day, ask leave to introduce a bill, reducing into one act the various statutes in relation to the election and qualification of justices of the peace.

And then the House adjourned until ten o'clock to-morrow morning.

## WEDNESDAY, APRIL 8, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Sullivan, praying for the incorporation of a company to construct a turnpike road from the Delaware and Hudson canal to the Newburgh turnpike, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of W. Todd and others of the county of Putnam, praying for the incorporation of an iron manufacturing company, to be located in said county, was read, and referred to the committee on trade and manufactures.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for an amendment of the law relative to excise or tavern licenses in said city, was read, and referred to the committee on the judiciary.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act to vest discretionary powers in the board of health commissioners in certain cases, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Orleans, praying for the incorporation of a company to construct a rail-road from Medina in said county, to the mouth of the Oak-orchard creek, was read, and referred to the committee on rail-roads.

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A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

**TO THE ASSEMBLY.**

**GENTLEMEN,**

I have this day approved and signed the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Waterloo in the county of Seneca,' passed April 9th, 1824."

W. L. MARCY.

*Albany, April 8, 1835.*

The engrossed bill from the Senate, entitled "An act to incorporate the Franklin fire insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. P. W. Paddock
Mr. Anthony	Mr. Griswold	Mr. W. S. Paddock
Mr. Baker	Mr. Groom	Mr. Palmer
Mr. Beecher	Mr. Hall	Mr. Parker
Mr. Benjamin	Mr. A. Hascall	Mr. Patterson
Mr. Bennet	Mr. Hendee	Mr. Pettit
Mr. Blatchly	Mr. Hicks	Mr. Plumb
Mr. Brooks	Mr. Hildreth	Mr. Powers
Mr. A. Brown	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Richmond
Mr. Burhans	Mr. Horton	Mr. Seger
Mr. Burke	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Jones	Mr. Speaker
Mr. Carpenter	Mr. Judd	Mr. Springer
Mr. Cash	Mr. Kent	Mr. Stetson
Mr. A. Clark	Mr. King	Mr. Stevens
Mr. C. Clark	Mr. Krum	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Chuer	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Kie	Mr. Waldron
Mr. Davis	Mr. M'Neil	Mr. Warren
Mr. Dayan	Mr. Moore	Mr. Wilcoxson

Mr. Denniston	Mr. Moseley	Mr. Woodbury
Mr. Eldred	Mr. Murphy	Mr. Woodward
Mr. Farwell	Mr. Niles	Mr. A. Woodworth
Mr. Finch	Mr. Ostrom	Mr. Wylie
Mr. Fisher		

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Roosevelt
Mr. Clinch	Mr. Herttell	Mr. Wheeler

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*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to extend for a limited period the charter of the North river insurance company of the city of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. W. S. Paddock
Mr. Anthony	Mr. Griswold	Mr. Palmer
Mr. Baker	Mr. Groom	Mr. Parker
Mr. Beecher	Mr. Hall	Mr. Patterson
Mr. Benjamin	Mr. A. Hascall	Mr. Pettit
Mr. Bennet	Mr. Hendee	Mr. Plumb
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Hough	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Jones	Mr. Speaker
Mr. Carpenter	Mr. Judd	Mr. Springer
Mr. Cash	Mr. Kent	Mr. Stetson
Mr. A. Clark	Mr. King	Mr. Stevens
Mr. C. Clark	Mr. Krum	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Malloy	Mr. Tomlinson



Mr. Crowell	Mr. M'Cluer	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Kie	Mr. Waldron
Mr. Davis	Mr. M'Neil	Mr. Warren
Mr. Dayan	Mr. Moore	Mr. Wilcoxson
Mr. Denniston	Mr. Moseley	Mr. Wilkinson
Mr. Eldred	Mr. Murphy	Mr. Woodbury
Mr. Farwell	Mr. Niles	Mr. Woodward
Mr. Finch	Mr. Ostrom	Mr. A. Woodworth
Mr. Fisher	Mr. P. W. Paddock	Mr. Wylie

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Roosevelt
Mr. Clinch	Mr. Herttell	Mr. Wheeler

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*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

And then the House adjourned until ten o'clock to-morrow morning.

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## THURSDAY, APRIL 9, 1835.

The House met pursuant to adjournment.

The petition of Luther Butts, supervisor of the town of Kortright in the county of Delaware, praying legislative relief in relation to certain justices of the peace of said town, was read, and referred to the committee on the judiciary.

The petition of the president and directors of the Sag-Harbor and Bull's Head Turnpike Company, praying for an extension of their capital, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of the trustees of the village of Newburgh, and of sundry other inhabitants of the said village, praying for authority to grant licenses to grocers to retail spirituous liquors to be drank in their stores, with a communication upon the same subject, was read, and referred to the committee on the judiciary.

The petition of a committee of the town of Sherburne in the county of Chenango, praying for authority to raise money for the erection of a town-house in said town, was read, and referred to a select committee, consisting of Mr. Crain, Mr. Crary and Mr. Warren.

The remonstrance of sundry inhabitants of the counties of Dutchess and Ulster, against an extension of the charter of the New-Paltz and Poughkeepsie Ferry Company, was read, and committed to the committee of the whole when on the bill upon that subject.



The petition of sundry inhabitants of Avon in the county of Livingston, praying for the incorporation of a company to construct a rail-road from Avon village to the mineral springs in said county, was read, and referred to the committee on rail-roads.

The memorial of sundry inhabitants and owners of real estate of the village of Williamsburgh, praying for an amendment of the charter of said village, was read, and ordered to be laid upon the table.

The petition and certain proceedings of sundry citizens of the city of Utica, praying for the passage of a law to raise by tax a sum sufficient to defray the expense of the change of the termination of the Chenango canal, with a remonstrance against the same, were read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Luther Batts of the town of Kortright in the county of Delaware, praying relief in relation to certain justices of the peace of said town, reported a bill, entitled "An act to provide for the classification of justices of the peace;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Ogden made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Ogden, and it was unanimously determined in the affirmative.

Mr. Krum, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the county of Saratoga, praying for an amendment of the fourth title of the twentieth chapter of the first part of the Revised Statutes, relative to habitual drunkards, reported a bill, entitled "An act to amend title fourth of chapter twentieth of the Revised Statutes, relative to habitual drunkards;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of Herman H. Bogart, praying remuneration for the filling up of his mill-race, reported a bill, entitled "An act to provide for the payment of H. H. Bogart, for certain damages by the construction of the Crooked lake canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the counties of Erie, Cattaraugus and Chautauque, praying for the erection of a new county from parts of said counties, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Saratoga, praying for an extension of the law incorporating the Saratoga Springs and Schuylerville Rail-Road Company, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Saratoga-Springs and Schuylerville rail-road company,' passed April 26th, 1832;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Stevens, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act for the erection of a court-house and jail in the county of Columbia, passed April 6th, 1834," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the incorporation of the Montgomery mutual fire insurance company;" the engrossed bill entitled "An act authorising the board of supervisors of the county of Orleans to raise money, to make a road across Tonawanda swamp in the town of Barre in said county;" the engrossed bill entitled "An act to incorporate the Schuylerville bridge company;" the engrossed bill entitled "An act to authorise William H. Spencer to construct a dam across the Genesee river;" the engrossed bill entitled "An act to incorporate the Gilboa and Jefferson turnpike road company;" the engrossed bill entitled "An act to authorise Dix Hoar and his family to change their name;" the engrossed bill entitled "An act to provide for repairing the clerk's office in the county of Warren;" the engrossed bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque," and the engrossed bill entitled "An act to incorporate the Albany county mutual insurance company," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Jackson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising Hezekiah Bears Pierpont to erect a dock or docks in the city of Brooklyn," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to amend the several acts relative to the

village of Syracuse," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burr, from the select committee to which was referred the bill entitled "An act to incorporate the village of Angelica," re-reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Clinch, from the select committee to which was referred the bill entitled "An act relative to the laws and ordinances of the common council of the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act to incorporate the Manchester cotton manufacturing company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Richmond, from the select committee to which was referred the bill entitled "An act for the incorporation of the Genesee mutual fire insurance company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to masters in chancery in the county of Oneida," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to submit to the people of this State a certain amendment to the Constitution," with the amendments therewith delivered.

*Ordered*, That the said bill and amendments be laid upon the table.

The Senate returned the bill entitled "An act for the relief of John Wilkinson."

*Ordered*, That the Clerk deliver the said bill to the Governor.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York;" the bill entitled "An act to widen Avenue C, from Third-street to Fifteenth-street in the city of New-York;" and the bill entitled "An act relative to the school connected with the alms-house of the city of New-York," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act relating to academies," and a bill entitled "An act to amend the act to divide the town of Manlius."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act relating to academies," was referred to the committee on colleges, academies and common schools, to consider and report thereon; and the bill entitled "An act to amend the act to divide the town of Manlius," was ordered to a third reading.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 114 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Barnes	Mr. Hicks	Mr. Preston

Mr. Beecher	Mr. Hildreth	Mr. Quackenboss
Mr. Benjamin	Mr. Hiller	Mr. Richmond
Mr. Bennet	Mr. Hillyer	Mr. Ringgold
Mr. Blatchly	Mr. Horton	Mr. Roosevelt
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Ingersoll	Mr. Shepard
Mr. G. Brown	Mr. Jackson	Mr. D. Sibley
Mr. Burhans	Mr. Jones	Mr. M. H. Sibley
Mr. Burke	Mr. Judd	Mr. Simmons
Mr. Barnum	Mr. Kent	Mr. Speaker
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Loomis	Mr. Thorn
Mr. Coe	Mr. Lytle	Mr. Tillinghast
Mr. Conklin	Mr. Mallory	Mr. Tomlinson
Mr. Crain	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. M'Kie	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Davis	Mr. Murphy	Mr. Wheeler
Mr. Dayan	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Ogden	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. W. Woodworth
Mr. Griswold	Mr. Patterson	Mr. Wylie
Mr. Groom	Mr. Pettit	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	2
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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Manlius academy," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 117 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Patterson
Mr. Anthony	Mr. A. Hascall	Mr. Pettit
Mr. Baker	Mr. J. Haskell	Mr. Phillips
Mr. Barnes	Mr. Hendee	Mr. Plumb
Mr. Beecher	Mr. Herttell	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Blatchly	Mr. Hiller	Mr. Rice
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. Ringgold
Mr. G. Brown	Mr. Hough	Mr. Roosevelt
Mr. Burhans	Mr. Hutchinson	Mr. Seger
Mr. Burke	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. Kent	Mr. Springer
Mr. Carr	Mr. King	Mr. Stetson
Mr. Cash	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. Livingston	Mr. Suffern
Mr. Clinch	Mr. Lockwood	Mr. Thorn
Mr. Coe	Mr. Loomis	Mr. Tillinghast
Mr. Conklin	Mr. Lytle	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. M'Kie	Mr. Wager
Mr. Crowell	Mr. M'Neil	Mr. Waldron
Mr. Cuykendall	Mr. Moore	Mr. Warren
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilcoxson
Mr. Eldred	Mr. Niles	Mr. Wilkinson
Mr. Farwell	Mr. Ogden	Mr. Williams
Mr. Finch	Mr. Ostrom	Mr. Woodbury
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodward
Mr. Gray	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Griswold	Mr. Palmer	Mr. W. Woodworth
Mr. Groom	Mr. Parker	Mr. Wylie 117

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A communication from the president and directors of the New-York and Harlem Rail-Road Company, was received and read.

[ See Document No. 360. ]

*Ordered,* That the said communication be laid upon the table.

The engrossed bill from the Senate, entitled "An act to incorporate the Ithaca Mechanics' society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 112 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams.	Mr. A. Hascall	Mr. Phillips
Mr. Anthony	Mr. J. Haskell	Mr. Plumb
Mr. Baker	Mr. Hendee	Mr. Powers
Mr. Barnes	Mr. Herttell	Mr. Preston
Mr. Beecher	Mr. Hicks	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Rice
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Ringgold
Mr. Brooks	Mr. Horton	Mr. Roosevelt
Mr. A. Brown	Mr. Ingersoll	Mr. Seger
Mr. G. Brown	Mr. Jackson	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. Livingston	Mr. Stevens
Mr. A. Clark	Mr. Lockwood	Mr. C. Strong
Mr. C. Clark	Mr. Loomis	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Kie	Mr. Tyrrel
Mr. Crary	Mr. M'Neil	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Murphy	Mr. Warren
Mr. Dayan	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Ogden	Mr. Wilcoxson
Mr. Eldred	Mr. Ostrom	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. Woodward
Mr. Gray	Mr. Parker	Mr. A. Woodworth
Mr. Griswold	Mr. Patterson	Mr. W. Woodworth
Mr. Groom	Mr. Pettit	Mr. Wylie
Mr. Hall		



**402**

**Those who voted in the negative are**

**Mr. Carr  
Mr. Clinch**

**Mr. Hough**

**Mr. Thorn**

**4**

**Ordered,** That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 111 }  
{ NAYS 05 }

**Those who voted in the affirmative are**

<b>Mr. Adams</b>	<b>Mr. A. Hascall</b>	<b>Mr. Powers</b>
<b>Mr. Anthony</b>	<b>Mr. Hendee</b>	<b>Mr. Preston</b>
<b>Mr. Barnes</b>	<b>Mr. Hicks</b>	<b>Mr. Quackenboss</b>
<b>Mr. Beecher</b>	<b>Mr. Hildreth</b>	<b>Mr. Rice</b>
<b>Mr. Benjamin</b>	<b>Mr. Hiller</b>	<b>Mr. Richmond</b>
<b>Mr. Bennet</b>	<b>Mr. Hillyer</b>	<b>Mr. Ringgold</b>
<b>Mr. Blatchly</b>	<b>Mr. Horton</b>	<b>Mr. Roosevelt</b>
<b>Mr. Brooks</b>	<b>Mr. Hough</b>	<b>Mr. Seger</b>
<b>Mr. A. Brown</b>	<b>Mr. Ingersoll</b>	<b>Mr. Shepard</b>
<b>Mr. G. Brown</b>	<b>Mr. Jackson</b>	<b>Mr. D. Sibley</b>
<b>Mr. Burhans</b>	<b>Mr. Jones</b>	<b>Mr. M. H. Sibley</b>
<b>Mr. Burke</b>	<b>Mr. Judd</b>	<b>Mr. Simmons</b>
<b>Mr. Barnum</b>	<b>Mr. Kent</b>	<b>Mr. Speaker</b>
<b>Mr. Burr</b>	<b>Mr. King</b>	<b>Mr. Springer</b>
<b>Mr. Cadwell</b>	<b>Mr. Krum</b>	<b>Mr. Stetson</b>
<b>Mr. Carpenter</b>	<b>Mr. J. W. Lewis</b>	<b>Mr. Stevens</b>
<b>Mr. Cash</b>	<b>Mr. T. Lewis</b>	<b>Mr. C. Strong</b>
<b>Mr. A. Clark</b>	<b>Mr. Lockwood</b>	<b>Mr. E. Strong</b>
<b>Mr. C. Clark</b>	<b>Mr. Lytle</b>	<b>Mr. Suffern</b>
<b>Mr. J. Clark</b>	<b>Mr. Mallory</b>	<b>Mr. Thorn</b>
<b>Mr. Coe</b>	<b>Mr. M'Cluer</b>	<b>Mr. Tillinghast</b>
<b>Mr. Conklin</b>	<b>Mr. M'Kie</b>	<b>Mr. Tomlinson</b>
<b>Mr. Crain</b>	<b>Mr. M'Neil</b>	<b>Mr. Tyrrel</b>
<b>Mr. Crary</b>	<b>Mr. Moore</b>	<b>Mr. Van Bergen</b>
<b>Mr. Crosby</b>	<b>Mr. Moseley</b>	<b>Mr. Wager</b>
<b>Mr. Crowell</b>	<b>Mr. Murphy</b>	<b>Mr. Waldron</b>
<b>Mr. Cuykendall</b>	<b>Mr. Niles</b>	<b>Mr. Warren</b>
<b>Mr. Dayan</b>	<b>Mr. Ogden</b>	<b>Mr. Wheeler</b>
<b>Mr. Denniston</b>	<b>Mr. P. W. Paddock</b>	<b>Mr. Wilcoxson</b>
<b>Mr. Eldred</b>	<b>Mr. W. S. Paddock</b>	<b>Mr. Wilkinson</b>



Mr. Farwell	Mr. Palmer	Mr. Williams
Mr. Finch	Mr. Parker	Mr. Woodbury
Mr. Fisher	Mr. Patterson	Mr. Woodward
Mr. Gray	Mr. Pettit	Mr. A. Woodworth
Mr. Griswold	Mr. Phillips	Mr. W. Woodworth
Mr. Groom	Mr. Plumb	Mr. Wylie
Mr. Hall		

109

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch	Mr. Ostrom	

5

The engrossed bill entitled "An act for the relief of the Mount-Pleasant academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 112 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Phillips
Mr. Anthony	Mr. A. Haskell	Mr. Plumb
Mr. Baker	Mr. J. Haskell	Mr. Powers
Mr. Barnes	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Hicks	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Richmond
Mr. Bennet	Mr. Hiller	Mr. Ringgold
Mr. Blatchly	Mr. Hillyer	Mr. Roosevelt
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. A. Brown	Mr. Hough	Mr. Shepard
Mr. G. Brown	Mr. Ingersoll	Mr. D. Sibley
Mr. Burhans	Mr. Jackson	Mr. M. H. Sibley
Mr. Burke	Mr. Jones	Mr. Simmons
Mr. Barnum	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. Kent	Mr. Springer
Mr. Cadwell	Mr. King	Mr. Stetson
Mr. Carpenter	Mr. Krum	Mr. Stevens
Mr. Carr	Mr. J. W. Lewis	Mr. C. Strong
Mr. Cash	Mr. T. Lewis	Mr. E. Strong
Mr. A. Clark	Mr. Lockwood	Mr. Suffern
Mr. C. Clark	Mr. Lytle	Mr. Thorn
Mr. J. Clark	Mr. Mallory	Mr. Tillinghast
Mr. Clinch	Mr. M'Cluer	Mr. Tomlinson
Mr. Coe	Mr. M'Kie	Mr. Tyrrel
Mr. Conklin	Mr. M'Neil	Mr. Van Bergen
Mr. Crain	Mr. Moore	Mr. Waldron

Mr. Crary  
Mr. Crosby  
Mr. Crowell  
Mr. Cuykendall  
Mr. Dayan  
Mr. Denniston  
Mr. Eldred  
Mr. Farwell  
Mr. Fisher  
Mr. Gray  
Mr. Griswold  
Mr. Groom

Mr. Moseley  
Mr. Murphy  
Mr. Niles  
Mr. Ogden  
Mr. Ostrom  
Mr. P. W. Paddock  
Mr. W. S. Paddock  
Mr. Palmer  
Mr. Parker  
Mr. Patterson  
Mr. Pettit

Mr. Warren  
Mr. Wetmore  
Mr. Wheeler  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Williams  
Mr. Woodbury  
Mr. Woodward  
Mr. A. Woodworth  
Mr. W. Woodworth  
Mr. Wylie

112

The engrossed bill entitled "An act for the incorporation of the Sable iron company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 109 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Baker  
Mr. Barnes  
Mr. Beecher  
Mr. Benjamin  
Mr. Bennet  
Mr. Blatchly  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown  
Mr. Burhans  
Mr. Burke  
Mr. Barnum  
Mr. Burr  
Mr. Cadwell  
Mr. Carpenter  
Mr. C. Clark  
Mr. J. Clark  
Mr. Coe  
Mr. Conklin  
Mr. Crain  
Mr. Crary  
Mr. Crosby  
Mr. Crowell  
Mr. Cuykendall  
Mr. Davis

Mr. Healy  
Mr. Hendee  
Mr. Hicks  
Mr. Hildreth  
Mr. Hiller  
Mr. Hillyer  
Mr. Horton  
Mr. Hough  
Mr. Ingersoll  
Mr. Jackson  
Mr. Jones  
Mr. Judd  
Mr. Kent  
Mr. King  
Mr. Krum  
Mr. J. W. Lewis  
Mr. T. Lewis  
Mr. Livingston  
Mr. Lockwood  
Mr. Loomis  
Mr. Lytle  
Mr. Mallory  
Mr. M'Cluer  
Mr. M'Kie  
Mr. M'Neil  
Mr. Moore

Mr. Pettit  
Mr. Phillips  
Mr. Plumb  
Mr. Powers  
Mr. Preston  
Mr. Quackenboss  
Mr. Richmond  
Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. M. H. Sibley  
Mr. Simmons  
Mr. Speaker  
Mr. Springer  
Mr. Stetson  
Mr. Stevens  
Mr. C. Strong  
Mr. E. Strong  
Mr. Suffern  
Mr. Thorn  
Mr. Tillinghast  
Mr. Tomlinson  
Mr. Tyrrel  
Mr. Van Bergen  
Mr. Wager  
Mr. Waldron

Mr. Dayan	Mr. Moseley	Mr. Warren
Mr. Denniston	Mr. Murphy	Mr. Wheeler
Mr. Eldred	Mr. Niles	Mr. Wilcoxson
Mr. Farwell	Mr. Ogden	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. Woodward
Mr. Griswold	Mr. Palmer	Mr. A. Woodworth
Mr. Groom	Mr. Parker	Mr. W. Woodworth
Mr. Hall	Mr. Patterson	Mr. Wylie
Mr. A. Hascall		109

Those who voted in the negative are

Mr. Clinch	Mr. Roosevelt	Mr. Wetmore
Mr. J. Haskell		4

The engrossed bill entitled "An act further to amend the act to incorporate the Hamilton and Skaneateles turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House, voting in favor thereof, as follows, to wit:

{ AYES 103 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Baker	Mr. Healy	Mr. Powers
Mr. Barnes	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Hicks	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Richmond
Mr. Bennet	Mr. Hiler	Mr. Seger
Mr. Blatchly	Mr. Hillyer	Mr. Shepard
Mr. Brooks	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. Hough	Mr. M. H. Sibley
Mr. G. Brown	Mr. Ingersoll	Mr. Simmons
Mr. Burhans	Mr. Jackson	Mr. Speaker
Mr. Burke	Mr. Jones	Mr. Springer
Mr. Barnum	Mr. Judd	Mr. Stetson
Mr. Burr	Mr. Kent	Mr. Stevens
Mr. Cadwell	Mr. King	Mr. C. Strong
Mr. Carpenter	Mr. Krum	Mr. E. Strong
Mr. Cash	Mr. T. Lewis	Mr. Suffern
Mr. C. Clark	Mr. Lockwood	Mr. Thorn
Mr. Coe	Mr. Loomis	Mr. Tillinghast
Mr. Conklin	Mr. Lytle	Mr. Tomlinson

Mr. Crair	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Van Bergen
Mr. Crowell	Mr. M'Kie	Mr. Wager
Mr. Caykendall	Mr. M'Neil	Mr. Waldron
Mr. Davis	Mr. Moore	Mr. Warren
Mr. Dayan	Mr. Murphy	Mr. Wheeler
Mr. Denniston	Mr. Niles	Mr. Wilcoxson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Gray	Mr. Patterson	Mr. A. Woodworth
Mr. Griswold	Mr. Pettit	Mr. Wylie
Mr. Groom		

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clagh	Mr. Herttell	

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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Bennet,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill authorizing the survey of a route for a canal from Binghamton to Owego, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Bennet, Mr. Healy and Mr. Fisher, be the said committee.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Fisher; the same was again read, in the words following, to wit:

*Resolved*, That the vote of this House on the question of the final passage of the bill equalizing the wards in the city of Albany, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	86	}
{	NAYS	34	}

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Pettit
Mr. Baker	Mr. Griswold	Mr. Phillips

Mr. Barnes	Mr. Groom	Mr. Powers
Mr. Beecher	Mr. Hall	Mr. Preston
Mr. Benjamin	Mr. J. Haskell	Mr. Quackenboss
Mr. Bennet	Mr. Healy	Mr. Rice
Mr. Brooks	Mr. Herttell	Mr. Ringgold
Mr. Burhans	Mr. Hicks	Mr. Roosevelt
Mr. Barnum	Mr. Hiller	Mr. Seger
Mr. Cadwell	Mr. Hough	Mr. Shepard
Mr. Carpenter	Mr. Ingersoll	Mr. Speaker
Mr. Carr	Mr. Jackson	Mr. Springer
Mr. Cash	Mr. Jones	Mr. Stetson
Mr. A. Clark	Mr. Judd	Mr. Stevens
Mr. J. Clark	Mr. Kent	Mr. Suffern
Mr. Clinch	Mr. King	Mr. Thorn
Mr. Coe	Mr. Krum	Mr. Van Bergen
Mr. Conklin	Mr. Livingston	Mr. Wager
Mr. Crain	Mr. Lockwood	Mr. Warren
Mr. Crary	Mr. Loomis	Mr. Wetmore
Mr. Crosby	Mr. Lytle	Mr. Wheeler
Mr. Crowell	Mr. Mallory	Mr. Wilcoxson
Mr. Cuykendall	Mr. Murphy	Mr. Wilkinson
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Denniston	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Eldred	Mr. W. S. Paddock	Mr. Wylie
Mr. Finch	Mr. Palmer	

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Those who voted in the negative are

Mr. Blatchly	Mr. J. W. Lewis	Mr. D. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. G. Brown	Mr. M'Cluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Burr	Mr. M'Neil	Mr. E. Strong
Mr. C. Clark	Mr. Moore	Mr. Tillinghast
Mr. Farwell	Mr. Moseley	Mr. Tomlinson
Mr. A. Hascall	Mr. Niles	Mr. Tyrrel
Mr. Hendee	Mr. Patterson	Mr. Waldron
Mr. Hildreth	Mr. Plumb	Mr. Woodward
Mr. Hillyer	Mr. Richmond	Mr. W. Woodworth
Mr. Horton		

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Thereupon,

The further order of business preceding the general orders of the day, having been disposed of,

Mr. Livingston made a motion that the House should agree to lay the general orders of the day upon the table.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was determined in the affirmative.

{ AYES 86 }  
 { NAYS 32 }

The ayes and noes being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Pettit
Mr. Baker	Mr. Griswold	Mr. Phillips
Mr. Barnes	Mr. Groom	Mr. Powers
Mr. Beecher	Mr. Hall	Mr. Preston
Mr. Benjamin	Mr. J. Haskell	Mr. Quackenboss
Mr. Bennet	Mr. Healy	Mr. Rice
Mr. Brooks	Mr. Herttell	Mr. Ringgold
Mr. Burhans	Mr. Hicks	Mr. Roosevelt
Mr. Barnum	Mr. Hiller	Mr. Seger
Mr. Cadwell	Mr. Hough	Mr. Shepard
Mr. Carpenter	Mr. Ingersoll	Mr. Speaker
Mr. Carr	Mr. Jackson	Mr. Springer
Mr. Cash	Mr. Jones	Mr. Stetson
Mr. A. Clark	Mr. Judd	Mr. Stevens
Mr. J. Clark	Mr. Kent	Mr. Suffern
Mr. Clinch	Mr. King	Mr. Thorn
Mr. Coe	Mr. Krum	Mr. Van Bergen
Mr. Conklin	Mr. Livingston	Mr. Wager
Mr. Crain	Mr. Lockwood	Mr. Warren
Mr. Crary	Mr. Loomis	Mr. Wetmore
Mr. Crosby	Mr. Lytle	Mr. Wheeler
Mr. Crowell	Mr. Mallory	Mr. Wilcoxson
Mr. Cuykendall	Mr. Murphy	Mr. Wilkinson
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Denniston	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Eldred	Mr. W. S. Paddock	Mr. Wylie
Mr. Finch	Mr. Palmer	

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Those who voted in the negative are

Mr. Blatchly	Mr. T. Lewis	Mr. M. H. Sibley
Mr. A. Brown	Mr. M'Cluer	Mr. Simmons
Mr. G. Brown	Mr. M'Kie	Mr. C. Strong
Mr. Burr	Mr. M'Neil	Mr. E. Strong
Mr. Farwell	Mr. Moore	Mr. Tillinghast
Mr. A. Hascall	Mr. Moseley	Mr. Tomlinson
Mr. Hendee	Mr. Niles	Mr. Tyrrel
Mr. Hildreth	Mr. Patterson	Mr. Waldron
Mr. Hillyer	Mr. Plumb	Mr. Woodward
Mr. Horton	Mr. Richmond	Mr. W. Woodworth
Mr. J. W. Lewis	Mr. D. Sibley	

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Thereupon,

The engrossed bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes," was again read the third time.

Debates were had thereon; and while the same was under consideration, Mr. Wager moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 83 }  
{ NAYS 34 }

The ayes and noes being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Finch	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Pettit
Mr. Baker	Mr. Griswold	Mr. Phillips
Mr. Barnes	Mr. Groom	Mr. Powers
Mr. Beecher	Mr. Hall	Mr. Preston
Mr. Benjamin	Mr. J. Haskell	Mr. Quackenboss
Mr. Bennet	Mr. Healy	Mr. Rice
Mr. Brooks	Mr. Hicks	Mr. Ringgold
Mr. Burhans	Mr. Hiller	Mr. Roosevelt
Mr. Barnum	Mr. Hough	Mr. Seger
Mr. Cadwell	Mr. Ingersoll	Mr. Shepard
Mr. Carpenter	Mr. Jackson	Mr. Speaker
Mr. Carr	Mr. Jones	Mr. Springer
Mr. Cash	Mr. Judd	Mr. Stetson
Mr. A. Clark	Mr. Kent	Mr. Stevens
Mr. J. Clark	Mr. King	Mr. Suffern
Mr. Clinch	Mr. Krum	Mr. Thorn
Mr. Coe	Mr. Livingston	Mr. Tillinghast
Mr. Conklin	Mr. Lockwood	Mr. Van Bergen
Mr. Crain	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Lytle	Mr. Warren
Mr. Crosby	Mr. Mallory	Mr. Wetmore
Mr. Crowell	Mr. Murphy	Mr. Wilcoxson
Mr. Cuykendall	Mr. Ogden	Mr. Wilkinson
Mr. Davis	Mr. Ostrom	Mr. Williams
Mr. Dayan	Mr. P. W. Paddock	Mr. Woodbury
Mr. Denniston	Mr. W. S. Paddock	Mr. Wylie
Mr. Eldred	Mr. Palmer	

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Those who voted in the negative are

Mr. Blatchly	Mr. J. W. Lewis	Mr. D. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. M. H. Sibley

Mr. G. Brown	Mr. M'Cluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Burr	Mr. M'Neil	Mr. E. Strong
Mr. C. Clark	Mr. Moore	Mr. Tyrrel
Mr. Fisher	Mr. Moseley	Mr. Waldron
Mr. A. Hascall	Mr. Niles	Mr. Wheeler
Mr. Hendee	Mr. Patterson	Mr. Woodward
Mr. Herttell	Mr. Plumb	Mr. A. Woodworth
Mr. Hildreth	Mr. Richmond	Mr. W. Woodworth
Mr. Horton		

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Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 86 }  
{ NAYS 31 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Pettit
Mr. Anthony	Mr. Griswold	Mr. Phillips
Mr. Baker	Mr. Groom	Mr. Powers
Mr. Barnes	Mr. Hall	Mr. Preston
Mr. Beecher	Mr. J. Haskell	Mr. Quackenboss
Mr. Benjamin	Mr. Healy	Mr. Rice
Mr. Bennet	Mr. Herttell	Mr. Ringgold
Mr. Brooks	Mr. Hicks	Mr. Roosevelt
Mr. Burhans	Mr. Hiller	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Cadwell	Mr. Ingersoll	Mr. Speaker
Mr. Carpenter	Mr. Jackson	Mr. Springer
Mr. Carr	Mr. Jones	Mr. Stetson
Mr. Cash	Mr. Judd	Mr. Stevens
Mr. A. Clark	Mr. Kent	Mr. Suffern
Mr. J. Clark	Mr. King	Mr. Thorn
Mr. Clinch	Mr. Krum	Mr. Tillinghast
Mr. Coe	Mr. Livingston	Mr. Van Bergen
Mr. Conklin	Mr. Lockwood	Mr. Wager
Mr. Crain	Mr. Loomis	Mr. Warren
Mr. Crary	Mr. Lytle	Mr. Wetmore
Mr. Crosby	Mr. Mallory	Mr. Wheeler
Mr. Crowell	Mr. Murphy	Mr. Wilcoxson
Mr. Cuykendall	Mr. Ogden	Mr. Wilkinson
Mr. Davis	Mr. Ostrom	Mr. Williams
Mr. Dayan	Mr. P. W. Paddock	Mr. Woodbury
Mr. Denniston	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Eldred	Mr. Palmer	Mr. Wylie
Mr. Finch	Mr. Parker	

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Those who voted in the negative are

Mr. Blatchly	Mr. J. W. Lewis	Mr. D. Sibley
Mr. A. Brown	Mr. T. Lewis	Mr. M. H. Sibley
Mr. G. Brown	Mr. M'Cluer	Mr. Simmons
Mr. Burke	Mr. M'Kie	Mr. C. Strong
Mr. Burr	Mr. M'Neil	Mr. E. Strong
Mr. C. Clark	Mr. Moore	Mr. Tomlinson
Mr. Fisher	Mr. Moseley	Mr. Tyrrel
Mr. A. Hascall	Mr. Niles	Mr. Waldron
Mr. Hendee	Mr. Patterson	Mr. Woodward
Mr. Hildreth	Mr. Richmond	Mr. W. Woodworth
Mr. Horton		

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*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

On motion of Mr. Judd,

*Resolved*, That when this House adjourns, it will adjourn to meet to-morrow at three o'clock in the afternoon; and that the use of the Assembly chamber be granted to the Republican State Convention, for to-morrow morning.

And then the House adjourned until ten o'clock to-morrow morning.

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## FRIDAY, APRIL 10, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the village of Newburgh, against the passage of an act authorising the trustees of said village to grant licenses to grocers to sell spirituous liquors to be drunk in their shops, was read, and referred to the committee on the judiciary.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from the city of Buffalo to Springville, was read, and referred to the committee on rail-roads.

Mr. King, from the committee on public lands, to which was referred the petition of John Ridden and Catharine his wife, praying for a release by the State of a certain lot of land in the city of New-York, together with the report of the Commissioners of the Land-Office thereon, reported a bill, entitled "An act for the relief of Jacob Cram;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. King made a motion that the House should agree to order the said bill to be engrossed.

[ASSEMBLY JOURNAL.]

Mr. Speaker put the question whether the House would agree to the said motion of Mr. King, and it was unanimously determined in the affirmative.

Mr. Hough, from the committee on grievances, to which was referred the petition of Joseph Waggoner, praying compensation for damages to his property at Fort-Plain, Montgomery county; by the construction and repairs of the Erie canal, reported; concluding that the prayer of the petitioner ought not to be granted.

[See Document No. 362.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Bennet, from the select committee to which was referred the bill entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act relative to voluntary assignments," reported, that the committee had gone through the said bill, made amendments thereto, one of the said amendments being to alter the title to "An act relative to voluntary assignments of choses in action," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Seven several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833;" the bill entitled "An act relative to a fire-proof clerk's office in the county of Essex;" the bill entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county;" the bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county;" the bill entitled "An act to loan money to the county of Erie;" the bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company," and the bill entitled "An act to amend an act to incorporate the Oncida lake canal company," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the re-

gulation of trade in certain cases,'” with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled “An act authorising James L. Voorhis and Asher Tappan to erect a toll-bridge across the Seneca river,” with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

The Senate sent for concurrence, a bill entitled “An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates’ courts;” a bill entitled “An act relative to the St. Lawrence academy;” a bill entitled “An act to incorporate the Saratoga academy and scientific institute,” and a bill entitled “An act to incorporate the Syracuse academy.”

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled “An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates’ courts,” was referred to the committee on the judiciary, and the usual number of copies thereof ordered to be printed for the use of the Legislature; the bill entitled “An act relative to the St. Lawrence academy,” was referred to the committee on colleges, academies and common schools; the bill entitled “An act to incorporate the Saratoga academy and scientific institute,” was referred to the committee on colleges, academies and common schools; and the bill entitled “An act to incorporate the Syracuse academy,” was referred to the committee on colleges, academies and common schools, severally to consider and report thereon.

The Senate sent for concurrence, a bill entitled “An act to incorporate the Troy Young Men’s association.”

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

A communication from the Canal Commissioners, was received and read, in the words following, to wit:

The Canal Commissioners, to whom was referred by the Assembly, the several petitions of Luther Pardee and John Beardslee, respectfully report:

[See Document No. 361.]

*Ordered*, That the said report be laid upon the table.

The engrossed bill entitled "An act authorising the board of supervisors of the county of Orleans to raise money, to make a road across Tonawanda swamp in the town of Barre in said county," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise William H. Spencer to construct a dam across the Genesee river," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising Hezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act to amend the act for the erection of a court-house and jail in the county of Columbia, passed April 6th, 1834," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act relating to public instruction," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act authorising the construction of a dock to connect the Chenango canal with the Chenango river," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill from the Senate, entitled "An act to amend the act to divide the town of Manlius," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,

*Resolved*, That the bill and amendments do pass.

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendments therewith delivered.

The engrossed bill entitled "An act to authorise Dix Hoar and his family to change their name," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for repairing the clerk's office in the county of Warren," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Ostrom,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill in relation to the water-works in the city of Schenectady, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Ostrom, Mr. Dayan and Mr. Beecher, be the said committee.

Mr. Griswold gave notice that he would, on some future day, ask leave to introduce a bill for the incorporation of the Nassau Academy.

Mr. Cash gave notice that he would, on some future day, ask leave to bring in a bill relative to public instruction.

On motion of Mr. Phillips,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in Kings county, and for other purposes," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Phillips, Mr. Conklin and Mr. Jackson, be the said committee.

On motion of Mr. Richmond,

*Resolved*, That the bill to incorporate the Le Roy and Brockport M'Adam Road Company, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Richmond, Mr. Tyrrel and Mr. T. Lewis, be the said committee.

On motion of Mr. Burhans,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burhans, Mr. Crain and Mr. Warren, be the said committee.

On motion of Mr. Jones,

*Resolved*, That the engrossed bill from the Senate, authorising John Cocket and John Cocket junior, to continue their dam across the Susquehannah river, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Jones, Mr. Peck and Mr. Harvey, be the said committee.

On motion of Mr. Cadwell,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to authorise the establishment of the New-York State Agricultural School, and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Cadwell, Mr. Herttell and Mr. Healy, be the said committee.

On motion of Mr. Crain,

*Resolved*, That the bill from the Senate, directing a loan for the construction of the Chenango canal, be made the special order for Thursday the sixteenth instant.

On motion of Mr. Wager,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to improve the inlet of the Cayuga lake," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Patterson, Mr. Cuykendall and Mr. Wilkinson, be the said committee.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Burhans; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Secretary of State be directed to deliver to Benjamin Wright the maps and profiles relating to the survey of the New-York and Erie rail-road, on his filing in the Secretary's office a written engagement to return the same within such time as the Secretary of State shall direct.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Moore; the same being amended, was again read, in the words following, to wit:

*Resolved*, That the resolutions now before the House, proposing amendments to the Constitution of this State, in relation to the alteration of the judiciary system, be referred to a select committee of nine, to report thereon.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That Mr. Moore, Mr. Wilkinson, Mr. Stetson, Mr. A. Hascall, Mr. Denniston, Mr. Wager, Mr. Burko, Mr. D. Sibley and Mr. Gray, be the said committee.

*Ordered*, That Mr. Wylie have leave of absence for one week, Mr. M'Kie for six days, and Mr. Hillyer for three days.

In pursuance of previous notice, Mr. M. H. Sibley asked for and obtained leave to bring in a bill, entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to report complete.

On motion of Mr. Lockwood,

*Resolved*, That the bill entitled "An act authorising Curtis Peck to erect a wharf in the county of Westchester," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Lockwood, Mr. P. W. Paddock and Mr. Crosby, be the said committee.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to erect the town of Morehouse in the county of Hamilton;" the bill entitled "An act to incorporate the Oneonta and Franklin turnpike company,"

and the bill entitled "An act to enclose a tract of woodland in the county of Rockland," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to renew and amend the act to incorporate the Hudson and Delaware rail-road company."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Cash made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cash, and it was unanimously determined in the affirmative.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Ontario woollen manufacturing company;" and a bill entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to incorporate the Ontario woollen manufacturing company." was referred to the committee on trade and manufactures; and the bill entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York," was referred to the committee on the incorporation of charitable and religious societies, severally to consider and report thereon.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, APRIL 11, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the town of Cazenovia, Madison county, praying that the banking capital of this State may be subjected to taxation for the support of highways, was read, and ordered to be laid upon the table.

The petition of Samuel R. Mathews of the county of Onondaga, praying for the passage of an act indemnifying him against the seizure of property belonging to him, while in the possession of Henry Phillips, for the said Phillips removing salt from the Onondaga reservation without paying the duties thereon according to law, was read, and referred to the committee on grievances.

The remonstrance of sundry inhabitants of the counties of Ulster



and Dutchess, against an extension of the charter of the New-Paltz Ferry Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of sundry inhabitants of the town of Solon in the county of Cortland, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the Congregational Society in the county of Allegany, praying for the passage of an act authorising them to sell their parsonage lot, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of the Mechanics' Institute of the city of New-York, praying for aid from the State to further the objects of said institution, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Ulster, praying for the passage of an act authorising John P. Sahler to take the oath of office as commissioner of deeds, was read, and referred to the committee on the judiciary.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act relative to the surplus funds of the Marine Hospital, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the president and directors of the Sag-Harbor and Bull's Head Turnpike Company, praying for an extension of their capital, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head turnpike company,' passed April 29, 1833;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Phillips made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Phillips, and it was unanimously determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Hinsdale in the county of Cattaraugus, for the division of said town, reported a bill, entitled "An act to divide the town of Hinsdale in the county of Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Ontario woollen manufacturing company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.



**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

**Ordered,** That the usual number of copies of the said bill be printed for the use of the Legislature.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which were referred sundry petitions and remonstrances in relation to a bridge across the Hudson river, opposite the city of Albany, reported; concluding that the prayer of the petitioners ought not to be granted.

[See Document No. 363.]

**Ordered,** That the said report be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend the several acts relative to the village of Syracuse;" the engrossed bill entitled "An act to incorporate the Ontario and Livingston counties mutual fire insurance company;" the engrossed bill entitled "An act to incorporate the village of Angelica;" the engrossed bill entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" the engrossed bill entitled "An act to provide for the classification of justices of the peace;" the engrossed bill entitled "An act to incorporate the Manchester cotton manufacturing company;" the engrossed bill entitled "An act to incorporate the Wayne county mutual insurance company;" the engrossed bill entitled "An act relative to the laws and ordinances of the common council of the city of New-York;" the engrossed bill entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents, to taxation,' passed April 27th, 1883;" the engrossed bill entitled "An act for the relief of Jacob Cram;" the engrossed bill entitled "An act relative to voluntary assignments of choses in action," and the engrossed bill entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act relating to academies," reported, that the committee have examined the said bill, and see no reason why the

same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

Mr. Tyrrel, from the select committee to which was referred the bill entitled "An act to incorporate the Le Roy and Brockport M'Adam road company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Patterson, from the select committee to which was referred the bill entitled "An act to improve the inlet of the Cayuga lake," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the counties of Hamilton, Saratoga, Kings and Montgomery, praying for a survey of canal routes from the Sacandaga river to the Erie and Champlain canals, reported a bill, entitled "An act authorising the survey of canal routes from the Sacandaga branch of the Hudson river in Northampton, Montgomery county, to the Erie and Champlain canals;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to improve the inlet of the Cayuga lake," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Ostrom, from the select committee to which was referred the bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and other purposes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed

to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act to incorporate the Clinton and Essex mutual fire insurance company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Davis, from the select committee to which was referred the bill entitled "An act authorising money to be raised by tax, to build a bridge across the Shawangunk-kill in Ulster county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burhans, from the select committee to which was referred the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Lockwood, from the select committee to which was referred the bill entitled "An act authorising Curtis Peck to erect a wharf in the county of Westchester," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The Senate returned the bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases.'"

*Ordered,* That the Clerk deliver the said bill to the Governor.

The engrossed bill from the Senate, entitled "An act to incorporate the Elmira Mechanics' society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 07 }

The engrossed bill entitled "An act authorising the board of supervisors of the county of Orleans to raise money, to make a road across Tonawanda swamp in the town of Barre in said county," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise Wilham H. Spencer to construct a dam across the Genesee river," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising Hezekiah Beers Pierpont to erect a dock or docks in the city of Brooklyn," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act to amend the act for the erection of a court-house and jail in the county of Columbia, passed April 6th, 1834," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act relating to public instruction," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act authorising the construction of a dock to connect the Chenango canal with the Chenango river," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill from the Senate, entitled "An act to amend the act to divide the town of Manlius," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,

*Resolved*, That the bill and amendments do pass.

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendments therewith delivered.

The engrossed bill entitled "An act to authorise Dix Hoar and his family to change their name," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for repairing the clerk's office in the county of Warren," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Ostrom,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill in relation to the water-works in the city of Schenectady, and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Ostrom, Mr. Dayan and Mr. Beecher, be the said committee.

Mr. Griswold gave notice that he would, on some future day, ask leave to introduce a bill for the incorporation of the Nassau Academy.

Mr. Cash gave notice that he would, on some future day, ask leave to bring in a bill relative to public instruction.

On motion of Mr. Phillips,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in Kings county, and for other purposes," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Phillips, Mr. Conklin and Mr. Jackson, be the said committee.

On motion of Mr. Richmond,

*Resolved*, That the bill to incorporate the Le Roy and Brockport M'Adam Road Company, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Richmond, Mr. Tyrrel and Mr. T. Lewis, be the said committee.

On motion of Mr. Burhans,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Burhans, Mr. Crain and Mr. Warren, be the said committee.

On motion of Mr. Jones,

*Resolved*, That the engrossed bill from the Senate, authorising John Cocket and John Cocket junior, to continue their dam across the Susquehannah river, be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Jones, Mr. Peck and Mr. Harvey, be the said committee.

On motion of Mr. Cadwell,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill to authorise the establishment of the New-York State Agricultural School, and that it be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Cadwell, Mr. Herttell and Mr. Healy, be the said committee.

On motion of Mr. Crain,

*Resolved*, That the bill from the Senate, directing a loan for the construction of the Chenango canal, be made the special order for Thursday the sixteenth instant.

On motion of Mr. Wager,

*Resolved*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to improve the inlet of the Cayuga lake," and that the same be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Patterson, Mr. Cuykendall and Mr. Wilkinson, be the said committee.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Burhans; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That the Secretary of State be directed to deliver to Benjamin Wright the maps and profiles relating to the survey of the New-York and Erie rail-road, on his filing in the Secretary's office a written engagement to return the same within such time as the Secretary of State shall direct.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Moore; the same being amended, was again read, in the words following, to wit:

*Resolved*, That the resolutions now before the House, proposing amendments to the Constitution of this State, in relation to the alteration of the judiciary system, be referred to a select committee of nine, to report thereon.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That Mr. Moore, Mr. Wilkinson, Mr. Stetson, Mr. A. Hascall, Mr. Denniston, Mr. Wager, Mr. Burko, Mr. D. Sibley and Mr. Gray, be the said committee.

*Ordered*, That Mr. Wylie have leave of absence for one week, Mr. M'Kie for six days, and Mr. Hillyer for three days.

In pursuance of previous notice, Mr. M. H. Sibley asked for and obtained leave to bring in a bill, entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to report complete.

On motion of Mr. Lockwood,

*Resolved*, That the bill entitled "An act authorising Curtis Peck to erect a wharf in the county of Westchester," be referred to a select committee to report complete.

Thereupon,

*Ordered*, That Mr. Lockwood, Mr. P. W. Paddock and Mr. Crosby, be the said committee.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to erect the town of Morehouse in the county of Hamilton;" the bill entitled "An act to incorporate the Oneonta and Franklin turnpike company,"

and the bill entitled "An act to enclose a tract of woodland in the county of Rockland," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to renew and amend the act to incorporate the Hudson and Delaware rail-road company."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Cash made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Cash, and it was unanimously determined in the affirmative.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Ontario woollen manufacturing company;" and a bill entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to incorporate the Ontario woollen manufacturing company." was referred to the committee on trade and manufactures; and the bill entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York," was referred to the committee on the incorporation of charitable and religious societies, severally to consider and report thereon.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, APRIL 11, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the town of Cazenovia, Madison county, praying that the banking capital of this State may be subjected to taxation for the support of highways, was read, and ordered to be laid upon the table.

The petition of Samuel R. Mathews of the county of Onondaga, praying for the passage of an act indemnifying him against the seizure of property belonging to him, while in the possession of Henry Phillips, for the said Phillips removing salt from the Onondaga reservation without paying the duties thereon according to law, was read, and referred to the committee on grievances.

The remonstrance of sundry inhabitants of the counties of Ulster

and Dutchess, against an extension of the charter of the New-Paltz Ferry Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of sundry inhabitants of the town of Solon in the county of Cortland, against a division of said town, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of the trustees of the Congregational Society in the county of Allegany, praying for the passage of an act authorising them to sell their parsonage lot, was read, and referred to the committee on the incorporation of charitable and religious societies.

The petition of the Mechanics' Institute of the city of New-York, praying for aid from the State to further the objects of said institution, was read, and referred to the committee on colleges, academies and common schools.

The petition of sundry inhabitants of the county of Ulster, praying for the passage of an act authorising John P. Sahler to take the oath of office as commissioner of deeds, was read, and referred to the committee on the judiciary.

The memorial of the mayor, aldermen and commonalty of the city of New-York, praying for the passage of an act relative to the surplus funds of the Marine Hospital, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the president and directors of the Sag-Harbor and Bull's Head Turnpike Company, praying for an extension of their capital, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head turnpike company,' passed April 20, 1833;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Phillips made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Phillips, and it was unanimously determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Hinsdale in the county of Cattaraugus, for the division of said town, reported a bill, entitled "An act to divide the town of Hinsdale in the county of Cattaraugus;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Ontario woollen manufacturing company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.



**Ordered,** That the said bill be committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

**Ordered,** That the usual number of copies of the said bill be printed for the use of the Legislature.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which were referred sundry petitions and remonstrances in relation to a bridge across the Hudson river, opposite the city of Albany, reported; concluding that the prayer of the petitioners ought not to be granted.

[See Document No. 363.]

**Ordered,** That the said report be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend the several acts relative to the village of Syracuse;" the engrossed bill entitled "An act to incorporate the Ontario and Livingston counties mutual fire insurance company;" the engrossed bill entitled "An act to incorporate the village of Angelica;" the engrossed bill entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" the engrossed bill entitled "An act to provide for the classification of justices of the peace;" the engrossed bill entitled "An act to incorporate the Manchester cotton manufacturing company;" the engrossed bill entitled "An act to incorporate the Wayne county mutual insurance company;" the engrossed bill entitled "An act relative to the laws and ordinances of the common council of the city of New-York;" the engrossed bill entitled "An act to amend an act entitled 'An act to subject certain debts owing to non-residents, to taxation,' passed April 27th, 1833;" the engrossed bill entitled "An act for the relief of Jacob Cram;" the engrossed bill entitled "An act relative to voluntary assignments of choses in action," and the engrossed bill entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act relating to academies," reported, that the committee have examined the said bill, and see no reason why the

same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

Mr. Tyrrel, from the select committee to which was referred the bill entitled "An act to incorporate the Le Roy and Brockport M'Adam road company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Patterson, from the select committee to which was referred the bill entitled "An act to improve the inlet of the Cayuga lake," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crain, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the counties of Hamilton, Saratoga, Kings and Montgomery, praying for a survey of canal routes from the Sacandaga river to the Erie and Champlain canals, reported a bill, entitled "An act authorising the survey of canal routes from the Sacandaga branch of the Hudson river in Northampton, Montgomery county, to the Erie and Champlain canals;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to improve the inlet of the Cayuga lake," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

Mr. Ostrom, from the select committee to which was referred the bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and other purposes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed

to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the bill entitled "An act to incorporate the Clinton and Essex mutual fire insurance company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Davis, from the select committee to which was referred the bill entitled "An act authorising money to be raised by tax, to build a bridge across the Shawangunk-kill in Ulster county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burhans, from the select committee to which was referred the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Lockwood, from the select committee to which was referred the bill entitled "An act authorising Curtis Peck to erect a wharf in the county of Westchester," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The Senate returned the bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases.'"

*Ordered,* That the Clerk deliver the said bill to the Governor.

The engrossed bill from the Senate, entitled "An act to incorporate the Elmira Mechanics' society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 07 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Plumb
Mr. Anthony	Mr. A. Hascall	Mr. Powers
Mr. Baker	Mr. Healy	Mr. Preston
Mr. Barnes	Mr. Hendee	Mr. Quackenboss
Mr. Beecher	Mr. Herttelt	Mr. Rice
Mr. Benjamin	Mr. Hicks	Mr. Richmond
Mr. Bennet	Mr. Hildreth	Mr. Ringgold
Mr. Blatchly	Mr. Hiller	Mr. Roosevelt
Mr. Brooks	Mr. Ingersoll	Mr. Shepard
Mr. A. Brown	Mr. Jackson	Mr. D. Sibley
Mr. Burhans	Mr. Jones	Mr. M. H. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. Kent	Mr. Speaker
Mr. Cadwell	Mr. King	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Cash	Mr. Livingston	Mr. Stevens
Mr. A. Clark	Mr. Lockwood	Mr. E. Strong
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Mallory	Mr. Tillinghast
Mr. Coe	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Nilcs	Mr. Warren
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. Woodward
Mr. Fisher	Mr. Pettit	Mr. A. Woodworth
Mr. Gray	Mr. Phillips	Mr. W. Woodworth
Mr. Griswold		

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## Those who voted in the negative are

Mr. Carr	Mr. Hough	Mr. W. S. Paddock
Mr. Clinch	Mr. J. W. Lewis	Mr. Palmer
Mr. J. Haskell		

7

*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 29th, 1833, and to extend the time for organizing the same," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Parker
Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Baker	Mr. A. Hascall	Mr. Pettit
Mr. Barnes	Mr. Healy	Mr. Phillips
Mr. Beecher	Mr. Hendee	Mr. Plumb
Mr. Benjamin	Mr. Hicks	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Ingersoll	Mr. D. Sibley
Mr. Burhans	Mr. Jackson	Mr. M. H. Sibley
Mr. Barnum	Mr. Jones	Mr. Simmons
Mr. Burr	Mr. Judd	Mr. Speaker
Mr. Cadwell	Mr. Kent	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. Stevens
Mr. A. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. C. Clark	Mr. Livingston	Mr. Suffern
Mr. J. Clark	Mr. Lockwood	Mr. Tillinghast
Mr. Coe	Mr. Loomis	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Davis	Mr. Murphy	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Eldred	Mr. Odell	Mr. Woodbury
Mr. Farwell	Mr. Ostrom	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Fisher	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Gray	Mr. Palmer	

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Those who voted in the negative are

Mr. Clinch	Mr. Ringgold	Mr. Wheeler
Mr. J. Haskell	Mr. Roosevelt	

5

The engrossed bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 101 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Baker	Mr. Healy	Mr. Powers
Mr. Barnes	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Hicks	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Rice
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hough	Mr. Ringgold
Mr. Brooks	Mr. Ingersoll	Mr. Roosevelt
Mr. A. Brown	Mr. Jackson	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. M. H. Sibley
Mr. Burr	Mr. Kent	Mr. Simmons
Mr. Cadwell	Mr. King	Mr. Speaker
Mr. Carpenter	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Loomis	Mr. Sufferin
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Warren
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodbury
Mr. Finch	Mr. Palmer	Mr. Woodward
Mr. Fisher	Mr. Parker	Mr. A. Woodworth
Mr. Gray	Mr. Patterson	Mr. W. Woodworth
Mr. Griswold	Mr. Pettit	

101

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Herttell
Mr. Clinch		

4

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to incorporate the Orphan asylum society of the city of Brooklyn."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES. 104 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Phillips
Mr. Baker	Mr. J. Haskell	Mr. Plumb
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Hendee	Mr. Preston
Mr. Benjamin	Mr. Herttell	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. A. Brown	Mr. Hough	Mr. Roosevelt
Mr. Burhans	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Carr	Mr. King	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. E. Strong
Mr. J. Clark	Mr. Lockwood	Mr. Suffern
Mr. Coe	Mr. Loomis	Mr. Tillinghast
Mr. Conklin	Mr. Mallory	Mr. Tomlinson
Mr. Crain	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. M'Neil	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Murphy	Mr. Warren
Mr. Davis	Mr. Niles	Mr. Wheeler
Mr. Dayan	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. W. Woodworth
Mr. Griswold	Mr. Patterson	

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to extend for a limited period the

charter of the North river insurance company of the city of New-York." with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 103 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Phillips
Mr. Barnes	Mr. J. Haskell	Mr. Plumb
Mr. Beecher	Mr. Healy	Mr. Powers
Mr. Benjamin	Mr. Hendee	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. A. Brown	Mr. Hough	Mr. Roosevelt
Mr. Burhans	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Carr	Mr. King	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. E. Strong
Mr. J. Clark	Mr. Lockwood	Mr. Suffern
Mr. Clinch	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crain	Mr. M'Neil	Mr. Van Bergen
Mr. Crary	Mr. Moore	Mr. Wager
Mr. Crosby	Mr. Moseley	Mr. Waldron
Mr. Crowell	Mr. Murphy	Mr. Warren
Mr. Cuykendall	Mr. Niles	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. Ostrom	Mr. Williams
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodbury
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodward
Mr. Finch	Mr. Palmer	Mr. A. Woodworth
Mr. Fisher	Mr. Parker	Mr. W. Woodworth
Mr. Gray		

103

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.



The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Phillips
Mr. Barnes	Mr. Healy	Mr. Plumb
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Roosevelt
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Ingersoll	Mr. D. Sibley
Mr. G. Brown	Mr. Jackson	Mr. M. H. Sibley
Mr. Burhans	Mr. Jones	Mr. Simmons
Mr. Barnum	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. Kent	Mr. Springer
Mr. Cadwell	Mr. King	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. E. Strong
Mr. A. Clark	Mr. Livingston	Mr. Suffern
Mr. C. Clark	Mr. Lockwood	Mr. Tillinghast
Mr. J. Clark	Mr. Loomis	Mr. Tomlinson
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. M'Neil	Mr. Van Bergen
Mr. Crary	Mr. Moore	Mr. Wager
Mr. Crosby	Mr. Moseley	Mr. Waldron
Mr. Crowell	Mr. Murphy	Mr. Warren
Mr. Cuykendall	Mr. Niles	Mr. Wheeler
Mr. Dayan	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. W. Woodworth 96

Those who voted in the negative are

Mr. Carr	Mr. Davis	Mr. Mallory
Mr. Clinch	Mr. J. Haskell	

5

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to amend the act entitled 'An act to incorporate and vest certain powers in the freeholders and inhabitants of the village of Williamsburgh in the county of Kings,' passed April 14th, 1827," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. J. Haskell	Mr. Plumb
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Hendee	Mr. Preston
Mr. Benjamin	Mr. Herttel	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. A. Brown	Mr. Hough	Mr. Roosevelt
Mr. G. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Jones	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Loomis	Mr. Suffern
Mr. Clinch	Mr. Mallory	Mr. Tillinghast
Mr. Coe	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crain	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Warren
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodbury
Mr. Finch	Mr. Palmer	Mr. Woodward
Mr. Fisher	Mr. Parker	Mr. A. Woodworth
Mr. Gray	Mr. Patterson	Mr. W. Woodworth

Those who voted in the negative are

Mr. Carr

The engrossed bill entitled "An act to incorporate the Westchester and Putnam insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Palmer
Mr. Anthony	Mr. Groom	Mr. Parker
Mr. Baker	Mr. A. Hascall	Mr. Patterson
Mr. Barnes	Mr. Healy	Mr. Pettit
Mr. Beecher	Mr. Hendee	Mr. Phillips
Mr. Benjamin	Mr. Hicks	Mr. Plumb
Mr. Bennet	Mr. Hildreth	Mr. Powers
Mr. Blatchly	Mr. Hiller	Mr. Preston
Mr. Brooks	Mr. Hough	Mr. Richmond
Mr. A. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stetson
Mr. C. Clark	Mr. T. Lewis	Mr. Stevens
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coc	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Van Bergen
Mr. Crowell	Mr. M'Neil	Mr. Wager
Mr. Cuykendall	Mr. Moore	Mr. Waldron
Mr. Davis	Mr. Moseley	Mr. Warren
Mr. Dayan	Mr. Murphy	Mr. Williams
Mr. Eldred	Mr. Niles	Mr. Woodbury
Mr. Farwell	Mr. Ostrom	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Fisher	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Gray		91

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Roosevelt
Mr. Clinch	Mr. Odell	5

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act relative to the Roman Catholic benevolent society in the city of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 54 }  
{ NAYS 39 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. W. S. Paddock
Mr. Anthony	Mr. J. Haskell	Mr. Palmer
Mr. Baker	Mr. Hicks	Mr. Parker
Mr. Barnes	Mr. Jackson	Mr. Phillips
Mr. Beecher	Mr. Jones	Mr. Preston
Mr. Bennet	Mr. Judd	Mr. Quackenboss
Mr. Brooks	Mr. Kent	Mr. Rice
Mr. Carpenter	Mr. King	Mr. Richmond
Mr. Cash	Mr. Livingston	Mr. Shepard
Mr. A. Clark	Mr. Lockwood	Mr. M. H. Sibley
Mr. C. Clark	Mr. Loomis	Mr. Speaker
Mr. J. Clark	Mr. Mallory	Mr. Springer
Mr. Crain	Mr. M'Neil	Mr. Stetson
Mr. Dayan	Mr. Moseley	Mr. Stevens
Mr. Eldred	Mr. Murphy	Mr. Tillinghast
Mr. Gray	Mr. Odell	Mr. Wager
Mr. Griswold	Mr. Ostrom	Mr. Wheeler
Mr. Groom	Mr. P. W. Paddock	Mr. Williams

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Those who voted in the negative are

Mr. Benjamin	Mr. Finch	Mr. Powers
Mr. Blatchly	Mr. Healy	Mr. Roosevelt
Mr. A. Brown	Mr. Hendee	Mr. D. Sibley
Mr. Barnum	Mr. Hildreth	Mr. Simmons
Mr. Cadwell	Mr. Hiller	Mr. E. Strong
Mr. Coe	Mr. Hough	Mr. Suffern
Mr. Conklin	Mr. J. W. Lewis	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Waldron
Mr. Crosby	Mr. Moore	Mr. Warren
Mr. Crowell	Mr. Niles	Mr. Woodbury
Mr. Cuykendall	Mr. Patterson	Mr. Woodward
Mr. Davis	Mr. Pettit	Mr. A. Woodworth
Mr. Farwell	Mr. Plumb	Mr. W. Woodworth

39

The engrossed bill entitled "An act authorising the building of a

bridge over the middle branch of the Hudson river, between the towns of Athol and Warrensburgh," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the proprietors of the Albany water-works,'" with the engrossed amendment, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill and amendment, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Patterson
Mr. Anthony	Mr. Healy	Mr. Pettit
Mr. Baker	Mr. Hendee	Mr. Phillips
Mr. Beecher	Mr. Herttell	Mr. Plumb
Mr. Benjamin	Mr. Hicks	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hough	Mr. Quackenboss
Mr. Brooks	Mr. Ingersoll	Mr. Rice
Mr. A. Brown	Mr. Jackson	Mr. Richmond
Mr. Burhans	Mr. Jones	Mr. Ringgold
Mr. Barnum	Mr. Judd	Mr. Roosevelt
Mr. Burr	Mr. Kent	Mr. Shepard
Mr. Cadwell	Mr. King	Mr. D. Sibley
Mr. Carpenter	Mr. Krum	Mr. M. H. Sibley
Mr. Cash	Mr. J. W. Lewis	Mr. Simmons
Mr. A. Clark	Mr. T. Lewis	Mr. Springer
Mr. C. Clark	Mr. Livingston	Mr. Stetson
Mr. J. Clark	Mr. Lockwood	Mr. Stevens
Mr. Coe	Mr. Loomis	Mr. E. Strong
Mr. Conklin	Mr. Mallory	Mr. Suffern
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Cuykendall	Mr. Murphy	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Warren
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. Ostrom	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. W. Woodworth 99

Those who voted in the negative are

Mr. Carr

Mr. Clinch

Mr. J. Haskell

3

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendment therewith delivered.

The engrossed bill entitled "An act to incorporate the Western eye and ear infirmary," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 101 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. J. Haskell	Mr. Phillips
Mr. Baker	Mr. Healy	Mr. Plumb
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Herttell	Mr. Preston
Mr. Benjamin	Mr. Hicks	Mr. Quackenboss
Mr. Bennet	Mr. Hildreth	Mr. Rice
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hough	Mr. Ringgold
Mr. A. Brown	Mr. Ingersoll	Mr. Roosevelt
Mr. Burhans	Mr. Jones	Mr. Shepard
Mr. Barnum	Mr. Judd	Mr. D. Sibley
Mr. Burr	Mr. Kent	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Speaker
Mr. Cash	Mr. T. Lewis	Mr. Springer
Mr. A. Clark	Mr. Livingston	Mr. Stetson
Mr. C. Clark	Mr. Lockwood	Mr. Stevens
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Suffern
Mr. Conklin	Mr. M'Cluer	Mr. Tillinghast
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Cuykendall	Mr. Murphy	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Warren
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Eldred	Mr. Ogden	Mr. Wilkinson
Mr. Farwell	Mr. Ostrom	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. A. Woodworth
Mr. Griswold	Mr. Parker	Mr. W. Woodworth
Mr. Groom	Mr. Patterson	

Those who voted in the negative are

Mr. Carr

Mr. Clinch

2

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend an act to incorporate the New-Paltz academy, passed April 12th, 1833," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. J. Haskell	Mr. Phillips
Mr. Baker	Mr. Healy	Mr. Plumb
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Herttell	Mr. Preston
Mr. Benjamin	Mr. Hicks	Mr. Quackenboss
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. T. Lewis	Mr. Stetson
Mr. J. Clark	Mr. Lockwood	Mr. Stevens
Mr. Coe	Mr. Loomis	Mr. E. Strong
Mr. Conklin	Mr. Mallory	Mr. Suffern
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Waldron
Mr. Dayan	Mr. Niles	Mr. Warren
Mr. Eldred	Mr. Odell	Mr. Wheeler
Mr. Farwell	Mr. Ogden	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. Palmer	Mr. Woodward
Mr. Griswold	Mr. Parker	Mr. A. Woodworth
Mr. Groom	Mr. Patterson	Mr. W. Woodworth 93

Those who voted in the negative are

Mr. Carr

Mr. Clinch

2

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the village of Mount-Morris," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. P. W. Paddock
Mr. Anthony	Mr. Gray	Mr. Palmer
Mr. Baker	Mr. Griswold	Mr. Parker
Mr. Barnes	Mr. Groom	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Powers
Mr. Blatchly	Mr. Herttell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Quackenboss
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. Burhans	Mr. Hiller	Mr. Ringgold
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jackson	Mr. M. H. Sibley
Mr. Carpenter	Mr. Jones	Mr. Simmons
Mr. Carr	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. Kent	Mr. Springer
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. C. Clark	Mr. Krum	Mr. Stevens
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Clinch	Mr. Livingston	Mr. Suffern
Mr. Coe	Mr. Lockwood	Mr. Tillinghast
Mr. Conklin	Mr. Loomis	Mr. Tyrrel
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Cluer	Mr. Waldron
Mr. Crosby	Mr. M'Neil	Mr. Warren
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Davis	Mr. Murphy	Mr. Williams
Mr. Dayan	Mr. Niles	Mr. Woodbury
Mr. Eldred	Mr. Odell	Mr. Woodward
Mr. Farwell	Mr. Ogden	Mr. A. Woodworth
Mr. Finch	Mr. Ostrom	Mr. W. Woodworth 99

Those who voted in the negative are

Mr. J. Haskell



The engrossed bill entitled "An act to incorporate the Dover and Union-Vale turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Pettit
Mr. Baker	Mr. A. Hascall	Mr. Phillips
Mr. Barnes	Mr. Healy	Mr. Plumb
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hough	Mr. Ringgold
Mr. A. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Jones	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Springer
Mr. Carpenter	Mr. Krum	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. Stevens
Mr. A. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tyrrel
Mr. Conklin	Mr. M'Cluer	Mr. Van Bergen
Mr. Crain	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Davis	Mr. Murphy	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Eldred	Mr. Odell	Mr. Woodbury
Mr. Farwell	Mr. Ogden	Mr. Woodward
Mr. Finch	Mr. Ostrom	Mr. A. Woodworth
Mr. Fisher	Mr. Palmer	Mr. W. Woodworth
Mr. Gray	Mr. Parker	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Clinch	Mr. Herttell	

5

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall turnpike company,' passed March 30th, 1809," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Parker
Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Baker	Mr. A. Hascall	Mr. Pettit
Mr. Barnes	Mr. Healy	Mr. Phillips
Mr. Beecher	Mr. Hendee	Mr. Preston
Mr. Benjamin	Mr. Hicks	Mr. Quackenboss
Mr. Bennet	Mr. Hildreth	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. A. Brown	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Burhans	Mr. Jackson	Mr. Simmons
Mr. Barnum	Mr. Jones	Mr. Speaker
Mr. Burr	Mr. Judd	Mr. Springer
Mr. Cadwell	Mr. Kent	Mr. Stevens
Mr. Carpenter	Mr. King	Mr. E. Strong
Mr. Cash	Mr. Krum	Mr. Suffern
Mr. A. Clark	Mr. J. W. Lewis	Mr. Tillinghast
Mr. J. Clark	Mr. T. Lewis	Mr. Tyrrel
Mr. Coe	Mr. Livingston	Mr. Van Bergen
Mr. Conklin	Mr. Lockwood	Mr. Wager
Mr. Crain	Mr. Loomis	Mr. Waldron
Mr. Crowell	Mr. Mallory	Mr. Warren
Mr. Cuykendall	Mr. M'Cluer	Mr. Wheeler
Mr. Davis	Mr. M'Neil	Mr. Wilkinson
Mr. Dayan	Mr. Moore	Mr. Williams
Mr. Eldred	Mr. Moseley	Mr. Woodbury
Mr. Farwell	Mr. Niles	Mr. Woodward
Mr. Finch	Mr. Odell	Mr. A. Woodworth
Mr. Fisher	Mr. Ogden	Mr. W. Woodworth
Mr. Gray	Mr. Palmer	89

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Murphy
Mr. C. Clark	Mr. Herttell	Mr. W. S. Paddock
Mr. Clinch		7

The engrossed bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo,'" was read the third time.

Mr. Speaker put the question whether the House would agree

to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Palmer
Mr. Anthony	Mr. Groom	Mr. Parker
Mr. Baker	Mr. J. Haskell	Mr. Patterson
Mr. Barnes	Mr. Healy	Mr. Pettit
Mr. Beecher	Mr. Hendee	Mr. Phillips
Mr. Benjamin	Mr. Herttel	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Quackenboss
Mr. Brooks	Mr. Hiller	Mr. Rice
Mr. A. Brown	Mr. Hough	Mr. Richmond
Mr. Burhans	Mr. Ingersoll	Mr. Ringgold
Mr. Barnum	Mr. Jackson	Mr. Roosevelt
Mr. Burr	Mr. Jones	Mr. Shepard
Mr. Cadwell	Mr. Judd	Mr. D. Sibley
Mr. Carpenter	Mr. Kent	Mr. M. H. Sibley
Mr. Carr	Mr. King	Mr. Simmons
Mr. Cash	Mr. Krum	Mr. Speaker
Mr. A. Clark	Mr. J. W. Lewis	Mr. Springer
Mr. C. Clark	Mr. T. Lewis	Mr. Stevens
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Warren
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Murphy	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Eldred	Mr. Odell	Mr. Woodbury
Mr. Farwell	Mr. Ostrom	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Fisher	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Gray		

100

The engrossed bill entitled "An act to divide the town of Catlin in the county of Tioga," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Long Island insurance company,' passed April 26th, 1853," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 94 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Ogden
Mr. Anthony	Mr. Gray	Mr. P. W. Paddock
Mr. Baker	Mr. Griswold	Mr. W. S. Paddock
Mr. Barnes	Mr. Groom	Mr. Palmer
Mr. Beecher	Mr. A. Hascall	Mr. Parker
Mr. Benjamin	Mr. Healy	Mr. Patterson
Mr. Bennet	Mr. Hendee	Mr. Pettit
Mr. Blatchly	Mr. Hicks	Mr. Phillips
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. M. H. Sibley
Mr. Cadwell	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. Kent	Mr. Springer
Mr. A. Clark	Mr. King	Mr. Stevens
Mr. C. Clark	Mr. Krum	Mr. E. Strong
Mr. J. Clark	Mr. J. W. Lewis	Mr. Suffern
Mr. Coe	Mr. T. Lewis	Mr. Tillinghast
Mr. Conklin	Mr. Livingston	Mr. Tyrrel
Mr. Crain	Mr. Lockwood	Mr. Van Bergen
Mr. Crary	Mr. Loomis	Mr. Wager
Mr. Crosby	Mr. Mallory	Mr. Warren
Mr. Crowell	Mr. M'Cluer	Mr. Wilkinson
Mr. Cuykendall	Mr. M'Neil	Mr. Williams
Mr. Davis	Mr. Moore	Mr. Woodbury
Mr. Dayan	Mr. Moseley	Mr. Woodward
Mr. Eldred	Mr. Murphy	Mr. A. Woodworth
Mr. Farwell	Mr. Odell	Mr. W. Woodworth
Mr. Finch		

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negative are

oosevelt      Mr. Wheeler

4

eturn the said bill to the Senate, and  
have passed the same without amend-

The engrossed bill entitled "An act to amend the act entitled

'An act to incorporate the East creek turnpike company,''' was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 05 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Healy	Mr. Pettit
Mr. Baker	Mr. Hendee	Mr. Phillips
Mr. Barnes	Mr. Hildreth	Mr. Powers
Mr. Beecher	Mr. Hiller	Mr. Preston
Mr. Benjamin	Mr. Hough	Mr. Quackenboss
Mr. Bennet	Mr. Ingersoll	Mr. Richmond
Mr. Blatchly	Mr. Jackson	Mr. Ringgold
Mr. Brooks	Mr. Jones	Mr. Roosevelt
Mr. A. Brown	Mr. Judd	Mr. D. Sibley
Mr. Burhans	Mr. Kent	Mr. M. H. Sibley
Mr. Barnum	Mr. King	Mr. Simmons
Mr. Burr	Mr. Krum	Mr. Speaker
Mr. Carpenter	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tyrrel
Mr. Conklin	Mr. M'Cluer	Mr. Van Bergen
Mr. Crary	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Warren
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Murphy	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Eldred	Mr. Odell	Mr. Woodbury
Mr. Farwell	Mr. Ogden	Mr. Woodward
Mr. Finch	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Fisher	Mr. Palmer	Mr. W. Woodworth
Mr. Gray	Mr. Parker	89

**Those who voted in the negative are**

Mr. Carr	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Clinch	Mr. Herttell	5

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Oyster-pond wharf company," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House, Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 64 }  
{ NAYS 28 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hendee	Mr. Ogden
Mr. Barnes	Mr. Hildreth	Mr. W. S. Paddock
Mr. Beecher	Mr. Hiller	Mr. Palmer
Mr. Benjamin	Mr. Hough	Mr. Phillips
Mr. Bennet	Mr. Ingersoll	Mr. Plumb
Mr. Blatchly	Mr. Jackson	Mr. Powers
Mr. Brooks	Mr. Jones	Mr. Preston
Mr. Burhans	Mr. Judd	Mr. Richmond
Mr. Barnum	Mr. King	Mr. Shepard
Mr. A. Clark	Mr. Krum	Mr. D. Sibley
Mr. J. Clark	Mr. J. W. Lewis	Mr. Simmons
Mr. Conklin	Mr. T. Lewis	Mr. Speaker
Mr. Crary	Mr. Livingston	Mr. Springer
Mr. Crosby	Mr. Lockwood	Mr. Tillinghast
Mr. Crowell	Mr. Loomis	Mr. Tyrrel
Mr. Davis	Mr. Mallory	Mr. Van Bergen
Mr. Dayan	Mr. M'Cluer	Mr. Wager
Mr. Eldred	Mr. Moore	Mr. Warren
Mr. Farwell	Mr. Moseley	Mr. Wilkinson
Mr. Fisher	Mr. Niles	Mr. Williams
Mr. Gray	Mr. Odell	Mr. A. Woodworth
Mr. Groom		

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Those who voted in the negative are

Mr. Anthony	Mr. A. Hascall	Mr. Quackenboss
Mr. A. Brown	Mr. J. Haskell	Mr. Rice
Mr. Burr	Mr. Healy	Mr. Ringgold
Mr. Cadwell	Mr. Herttell	Mr. Roosevelt
Mr. Carr	Mr. Kent	Mr. M. H. Sibley
Mr. C. Clark	Mr. Murphy	Mr. E. Strong
Mr. Clinch	Mr. Parker	Mr. Suffern
Mr. Coe	Mr. Patterson	Mr. Wheeler
Mr. Cuykendall	Mr. Pettit	Mr. Woodbury
Mr. Finch		

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Mr. Woodbury offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote on the bill entitled "An act to incorporate the Oysterpond wharf company," be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote on the bill in relation to the Roman Catholic Orphan Asylum, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834;" the bill entitled "An act to incorporate the Manlius academy," and the bill entitled "An act in relation to masters in chancery."

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend the act to incorporate the city of Brooklyn."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation of cities and villages, to consider and report thereon.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to amend part first, title first of chapter seventeenth of the Revised Statutes, entitled 'Of the regulation of trade in certain cases.'"

W. L. MARCY.

*Albany, April 11, 1835.*

And then the House adjourned until ten o'clock on Monday morning next.

#### MONDAY, APRIL 13, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry citizens of Utica, against the passage of an act authorising a tax to be assessed upon their property, for the purpose of defraying the expense of changing the northern termination of the Chenango canal, was read, and referred to the select committee on that subject, of which Mr. Shepard is chairman.

The petition of sundry inhabitants of the town of Geneseo in the county of Livingston, praying for an amendment of the law in relation to roads in said town, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of Teunis Joralemon of the city of Brooklyn, against the act granting certain lands under water to John G. Hitchcock, John Schenck and Jane B. Smith, and authorising them to erect a dock or docks thereon, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of sundry inhabitants of the counties of Dutchess and Ulster, against any extension of the exclusive privileges of the Poughkeepsie and New-Paltz Ferry Company, was read, and committed to the committee of the whole when on the bill upon that subject.

Two several remonstrances of sundry inhabitants of the city of New-York, against an alteration in the law in relation to grocers in said city, were read, and referred to the committee on the judiciary.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Fowler in the county of St. Lawrence, praying for a division of said town, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the memorial of the mayor, aldermen and commonalty of the city of New-York, praying for an amendment of the law relative to excise or tavern licenses in the city of New-York, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Debates were had thereon; and the question being put whether the House would agree with the committee in their report, it was determined in the affirmative.

{ AYES 72 }  
{ NAYS 16 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Eldred	Mr. M'Neil
Mr. Anthony	Mr. Farwell	Mr. Moore
Mr. Baker	Mr. Finch	Mr. Moseley
Mr. Barnes	Mr. Gray	Mr. Murphy
Mr. Beecher	Mr. Groom	Mr. Odell
Mr. Bennet	Mr. A. Hascall	Mr. P. W. Paddock
Mr. Blatchly	Mr. J. Haskell	Mr. Palmer
Mr. Brasher	Mr. Healy	Mr. Parker
Mr. Brooks	Mr. Hendee	Mr. Phillips
Mr. G. Brown	Mr. Herttell	Mr. Powers
Mr. Barnum	Mr. Hicks	Mr. Preston



Mr. Carpenter	Mr. Hiller	Mr. Ringgold
Mr. Carr	Mr. Hough	Mr. Seger
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. Judd	Mr. M. H. Sibley
Mr. J. Clark	Mr. Kent	Mr. Speaker
Mr. Clinch	Mr. King	Mr. Stevens
Mr. Coe	Mr. Krum	Mr. C. Strong
Mr. Conklin	Mr. J. W. Lewis	Mr. Thorn
Mr. Crary	Mr. Livingston	Mr. Tillinghast
Mr. Crowell	Mr. Lockwood	Mr. Wager
Mr. Cuykendall	Mr. Lytle	Mr. Williams
Mr. Davis	Mr. Mallory	Mr. Woodbury
Mr. Dayan	Mr. M'Cluer	Mr. Woodward 72

Those who voted in the negative are

Mr. Burke	Mr. Niles	Mr. Richmond
Mr. Cadwell	Mr. W. S. Paddock	Mr. D. Sibley
Mr. Fisher	Mr. Patterson	Mr. E. Strong
Mr. Horton	Mr. Pettit	Mr. Tyrrel
Mr. Ingersoll	Mr. Plumb	Mr. A. Woodworth
Mr. T. Lewis		16

Mr. Baker, from the committee on canals and internal improvements, to which was referred the petition of Bernardus Swartwout, praying for the passage of an act authorising the Canal Commissioners to lease the surplus waters at Glen's falls feeder, together with the report of the Canal Commissioners thereon, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. T. Lewis, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York," reported, that the committee have examined the said bill, and prepared an amendment thereto, with which they see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Adams, from the committee on grievances, to which was referred the petition of James Averill, and also the petition of Jacob H. Failing, for damages occasioned by a breach in the Minden dam, reported; concluding, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

[See Document No. 385.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the report of the Canal Board, relative to the exaction of toll for crossing the towing-path bridge of the Cohoes Company across the Mohawk river, from persons navigating the Champlain canal, as well as canal superintendents and State hands, reported a bill, entitled "An act in relation to the Cohoes bridge company;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Wager made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wager, and it was unanimously determined in the affirmative.

Mr. W. S. Paddock, from the committee on canals and internal improvements, to which was referred the bill entitled "An act authorising the survey of a canal route from the Erie canal at Buffalo, to the Allegany river," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

Thereupon,

Mr. Plumb made a motion that the House should agree to order the said bill to be engrossed.

*Ordered*, That the said bill be laid upon the table.

Mr. Adams, from the committee on grievances, to which was referred the petition of Samuel R. Matthews, for relief, reported; concluding, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

[See Document No. 367.]

*Ordered*, That the said report be laid upon the table.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the trustees and sundry other inhabitants of the village of Newburgh, praying for the passage of an act to authorise the said trustees of said village to grant licenses to grocers to retail spirituous liquors to be drunk in their stores, reported a bill, entitled "An act relative to the village of Newburgh;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Parker, from the committee on the manufacture of salt, to which was referred the petition of sundry inhabitants of the village of Syracuse, praying for the incorporation of a company for the manufacture of fine salt, reported a bill, entitled "An act to incorporate the Syracuse fine salt company;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Palmer, Mr. Dayan and Mr. Stetson, to report complete.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Cattaraugus and Erie, praying for the passage of an act authorising the supervisors of said counties to raise money by tax, to build a bridge over Cattaraugus creek, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Ulster and Sullivan, praying for a repeal of an act to incorporate the New-Paltz and Liberty Turnpike Company, and to revive the charter of the Ellenville and Woodburn Turnpike Company, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of sundry inhabitants of the town of Rochester in the county of Ulster, praying that a law may be passed, to authorise John P. Sahler to take the oath of office as commissioner of deeds, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Phillips, from the select committee to which was referred the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in Kings county, and for other purposes," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Phillips, from the select committee to which was referred the bill entitled "An act authorising Marcus B. Osborne to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

A message from the Senate was read, informing that they have concurred with this House in its amendments to the bill entitled "An act to amend the act to divide the town of Manlius," and have amended the same accordingly.

The said amended bill having been examined,

**Ordered,** That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the parties to bills of exchange and promissory notes," with the amendments therewith delivered.

The said bill and amendments were read.

**Ordered,** That the same be laid upon the table.

A communication from the Commissioners of the Land-Office, was received and read, in the words following, to wit:

The Commissioners of the Land-Office, to whom was referred by the Assembly, the bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin," respectfully report:

[See Document No. 366.]

**Ordered,** That the said report be referred to the committee on public lands.

The Senate sent for concurrence, a bill entitled "An act to alter the charter of the village of Rome."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Shepard made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Shepard, and it was unanimously determined in the affirmative.

The Senate sent for concurrence, a bill entitled "An act to divide the town of Cuba in the county of Allegany."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the erection and division of towns and counties, to consider and report thereon.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany;" and the bill entitled "An act to authorise Dix Hoar and his family to change their name," severally without amendment.

**Ordered,** That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have rejected the bill entitled "An act authorising George Ohl to change his name."

A copy of a resolution of the Senate was received and read, in-

forming that they have concurred with this House in its resolution authorising the Secretary of State to deliver to Benjamin Wright the maps and surveys of the New-York and Erie rail-road.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the incorporation of the Genesee mutual fire insurance company;" the engrossed bill entitled "An act in relation to the Cohoes bridge company;" the engrossed bill entitled "An act authorising Curtis Peck to erect a wharf in the town of Rye in the county of Westchester;" the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head turnpike company,' passed April 29th, 1833;" and the engrossed bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and other purposes," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The Senate returned the bill entitled "An act to extend for a limited period the charter of the North river insurance company in the city of New-York."

*Ordered,* That the Clerk deliver the said bill to the Governor.

The engrossed bill entitled "An act to establish and regulate ferries between the city of New-York and Long Island," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 89 }  
{ NAYS 04 }

The ayes and noes being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Palmer
Mr. Anthony	Mr. A. Hascall	Mr. Parker
Mr. Baker	Mr. J. Haskell	Mr. Patterson
Mr. Barnes	Mr. Healy	Mr. Pettit
Mr. Beecher	Mr. Hendee	Mr. Phillips
Mr. Benjamin	Mr. Hicks	Mr. Plumb
Mr. Bennet	Mr. Hiller	Mr. Powers
Mr. Blatchly	Mr. Horton	Mr. Preston
Mr. Brasher	Mr. Hough	Mr. Richmond
Mr. Brooks	Mr. Ingersoll	Mr. Seger
Mr. G. Brown	Mr. Jones	Mr. Shepard
Mr. Burke	Mr. Judd	Mr. D. Sibley
Mr. Barnum	Mr. Kent	Mr. M. H. Sibley
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens

Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Lockwood	Mr. E. Strong
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Crosby	Mr. M'Cluer	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Wilcoxson
Mr. Dayan	Mr. Moseley	Mr. Wilkinson
Mr. Eldred	Mr. Murphy	Mr. Williams
Mr. Farwell	Mr. Niles	Mr. Woodbury
Mr. Finch	Mr. Odell	Mr. Woodward
Mr. Fisher	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Gray	Mr. W. S. Paddock	69

Those who voted in the negative are

Mr. Carr	Mr. Livingston	Mr. Wetmore
Mr. Herttell		4

The engrossed bill entitled "An act relative to voluntary assignments of choses in action," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to improve the inlet of the Cayuga lake," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of Jacob Cram," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of Ephraim Bogardus," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for the classification of justices of the peace," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to widen Avenue C, from Third-street to Fifteenth-street in the city of New-York."

Also the bill entitled "An act authorising a percentage to be added to unpaid taxes in the city of New-York."

Also the bill entitled "An act relative to a fire-proof clerk's office in the county of Essex."

Also the bill entitled "An act to enclose a tract of woodland in the county of Rockland."

Also the bill entitled "An act to amend an act entitled 'An act authorising money to be raised by tax on certain towns of the county of Erie, for improving the roads passing through the Indian reservation in said county,' passed April 24th, 1833."

Also the bill entitled "An act to erect the town of Morehouse in the county of Hamilton."

Also the bill entitled "An act to amend an act to incorporate the Oneida lake canal company."

Also the bill entitled "An act to incorporate the Oneonta and Franklin turnpike company."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the Oneida and Jefferson turnpike company,' passed May 3d, 1834."

Also the bill entitled "An act in relation to masters in chancery."

Also the bill entitled "An act to incorporate the Manlius academy."

Also the bill entitled "An act to extend for a limited period the charter of the North river insurance company in the city of New-York."

Also the bill entitled "An act to incorporate the Oxford and Cortlandville turnpike company."

Also the bill entitled "An act to annex a part of the town of Otto in the county of Cattaraugus, to the town of Ashford in said county."

Also the bill entitled "An act relative to the school fund of the town of De Kalb in St. Lawrence county."

Also the bill entitled "An act for the relief of John Wilkinson."

Also the bill entitled "An act to loan money to the county of Erie."

Also the bill entitled "An act relative to the school connected with the alms-house of the city of New-York."

W. L. MARCY.

*Albany, April 13, 1835.*

And then the House adjourned until ten o'clock to-morrow morning.

TUESDAY, APRIL 14, 1835.

The House met pursuant to adjournment.

The Speaker having announced to the House, the decease of the Honorable John Sudam, a member of the Senate from the second Senate district:

Thereupon,

*Resolved unanimously by the Assembly,* That in testimony of sincere grief at the death, and respect for the character and memory of the honorable John Sudam, late a senator from the second senate district, the members of the Senate and Assembly will wear the usual badge of mourning for thirty days.

*Resolved unanimously,* That the funeral obsequies of the late honorable John Sudam, be conducted under the direction of a joint committee of the two houses, consisting of three members of the Senate, and five members of the Assembly.

*Resolved unanimously,* That the members of the two houses will attend the funeral solemnities of the deceased senator.

*Resolved unanimously,* That a copy of the above resolutions be sent to the widow and family of the deceased, with the assurance of the deepest sympathy on the part of the Senate and Assembly in their afflictive bereavement.

A message from the Senate, delivered by their clerk, was read, informing that Mr. Macdonald, Mr. Maison and Mr. Van Schaick, were appointed said committee on the part of the Senate.

Thereupon,

*Ordered,* That Mr. Dayan, Mr. Livingston, Mr. Davis, Mr. Hall and Mr. Judd, of the committee on the part of this House.

Mr. Dayan, from the joint committee of the Senate and Assembly, appointed to conduct the funeral ceremonies of the Honorable John Sudam, late senator for the second Senate district, reported:

That the committee have made the necessary arrangements for the funeral, which will be attended at three o'clock this day, from the lodgings of the deceased at Congress Hall, in the following order:

*Order of Arrangement for the Funeral of the Honorable JOHN SUDAM, late Senator from the Second Senate District, on Tuesday the fourteenth day of April, 1835.*

The Senate and Assembly will meet in their respective chambers at half past two o'clock P. M., and will proceed to the Congress-Hall, the late boarding-house of the deceased.

The Reverend Clergy of the city are requested to join in the funeral solemnities, and for that purpose are requested to attend at the place last mentioned at three o'clock.

The Chancellor, Justices of the Supreme Court, Circuit Judges who may be in the city, and the State officers, are also requested to attend at the same time and place.



The procession will move at half past three precisely, from Congress-Hall through Washington, State, South-Market and Hamilton-streets, to the steam-boat, and in the following order:

1. The clergy of the city and attending physicians.
2. The hearse and pall bearers.
3. Relatives of the deceased.
4. Joint committee of arrangements.
5. The Governor of the State.
6. The Senate, preceded by its officers.
7. The Assembly, preceded by its officers.
8. The Chancellor, Justices of the Supreme Court, and Circuit Judges.
9. The State officers.
10. Citizens and strangers.

The Senate returned the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany;" and the bill entitled "An act to incorporate the Orphan asylum of the city of Brooklyn."

*Ordered*, That the Clerk deliver the said bills to the Governor.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1, 1834;" the bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish in the county of Jefferson;" and the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

And then the House adjourned until half past two o'clock this afternoon.

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## HALF PAST TWO O'CLOCK P. M.

The House met pursuant to adjournment, and again adjourned until ten o'clock to-morrow morning.

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**WEDNESDAY, APRIL 15, 1835.**

The House met pursuant to adjournment.

The petition of the corporation and sundry inhabitants of the city of Hudson, praying for a division of said city, and for the erection of a new town therefrom, was read, and referred to the committee on the erection and division of towns and counties.

The petition of sundry inhabitants of the county of Sullivan, praying for the incorporation of a company to construct a turnpike road from the Delaware and Hudson canal, to the Newburgh and Cohecton turnpike in said county, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The remonstrance of sundry inhabitants of the city of Utica, against the passage of an act authorising the inspection of lumber in said city, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Stetson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to authorize the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton;" the bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes;)" the bill entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot;" the bill entitled "An act to authorize the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville;" the bill entitled "An act to incorporate the village of Havana in the county of Tioga;" the bill entitled "An act in relation to school district number one in the town of Salina;" the bill entitled "An act to amend the act entitled 'An act to authorize Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820;" and the bill entitled "An act to incorporate the Lake Champlain steam-boat transportation company."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to authorize the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton," be referred

to a select committee, consisting of Mr. A. Clark, Mr. Wilkinson and Mr. Crowell; that the bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes,)" be referred to a select committee, consisting of Mr. Cuykendall, Mr. Preston and Mr. Groom; that the bill entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot," be referred to a select committee, consisting of Mr. Bennet, Mr. Burke and Mr. Fisher; that the bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville," be referred to a select committee, consisting of Mr. Burr, Mr. Baker and Mr. Lockwood; that the bill entitled "An act to incorporate the village of Havana in the county of Tioga," be referred to a select committee, consisting of Mr. Fisher, Mr. Healy and Mr. Wylie; that the bill entitled "An act in relation to school district number one in the town of Salina," be referred to a select committee, consisting of Mr. Pettit, Mr. Patterson and Mr. Parker; that the bill entitled "An act to amend the act entitled 'An act to authorise Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820," be referred to a select committee, consisting of Mr. Wilkinson, Mr. Parker and Mr. Lytle; that the bill entitled "An act to incorporate the Lake Champlain steam-boat transportation company," be referred to a select committee, consisting of Mr. Hough, Mr. Stetson and Mr. Tomlinson, to be by the said committees severally reported complete.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of Adna Southwick and others, for a turnpike from New-Paltz to Wawarsing, reported a bill, entitled "An act to incorporate the New-Paltz and Wawarsing turnpike road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of Geneseo in the county of Livingston, praying for an amendment of the act in relation to a certain road in said town, reported a bill, entitled "An act in relation to laying out a public highway in the town of Geneseo;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the towns of Harmony and Chautauque in the county of Chautauque, praying for the erection of a new town from parts of said towns, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of Philip Church, praying relief in relation to a certain judgment recovered against him by the people of this State, reported a bill, entitled "An act for the relief of Philip Church;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilcoxson, from the select committee to which was referred the petition of the owners and occupants of hydraulic works on the outlet of the Crooked lake in the county of Yates, together with sundry petitions of the inhabitants of the towns of Seneca and Gorham in the county of Ontario, and of the towns of Pultney and Wayne in the county of Steuben, and the report of the Canal Commissioners made pursuant to a resolution of this House during the session, reported; and asked leave to introduce a bill.

[See Document No. 369.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wilcoxson, according to leave, brought in the said bill, entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the majority of the committee on colleges, academics and common schools, to which was referred the engrossed bill from the Senate, entitled "An act relative to the St. Lawrence academy," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wetmore, from the majority of the committee on colleges, academics and common schools, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Saratoga academy and scientific institute," and the bill entitled "An act to incorporate the Syracuse academy," reported, that the committee have examined the said bills, and see no reason why the same should not be severally passed into laws, and recommend that they be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Jones, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising John Cockett and John Cockett junior, to maintain the dam erected by Samuel Crafts across the Susquehannah river," reported, that the

committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

Mr. Shepard, from the select committee to which was referred the memorial of the common council of the city of Utica, and the petitions of sundry inhabitants of said city, praying for the passage of a law to raise by tax a sum of money, to defray the expense of terminating the Chenango canal at Utica, reported; and asked leave to introduce a bill.

[See Document No. 368.]

*Ordered,* That leave be given to bring in such bill.

Mr. Shepard, according to leave, brought in the said bill, entitled "An act to authorise the common council of the city of Utica to raise, by an equitable assessment upon the rent and personal estate in said city, the money required to be paid to the canal fund by an act to change the location of the northern termination of the Chenango canal;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the Le Roy and Brockport M<sup>d</sup>am road company;" the engrossed bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company;" the engrossed bill entitled "An act authorising money to be raised by tax, to build a bridge across Shawangunk-kill in the county of Ulster;" and the engrossed bill entitled "An act granting certain land and land under water in the village of Williamsburgh, county of Kings, to certain persons therein named, owners of the adjacent upland, and authorising them to erect a dock or docks thereon;" and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

Mr. Cadwell, from the select committee to which was referred the bill entitled "An act to authorise the establishment of the N w-York State agricultural school," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burr, from the select committee to which was referred the bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

Mr. A. Clark, from the select committee to which was referred the bill entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak orchard creek, at or near the head of Stillwater in the town of Carlton," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

Mr. Pettit, from the select committee to which was referred the bill entitled "An act in relation to school district number one in the town of Salina," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

Mr. Parker, from the select committee to which was referred the bill entitled "An act to incorporate the Syracuse fine salt company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The Senate sent for concurrence, a bill entitled "An act to change the name of the Second Presbyterian congregational society in the town of Carmel in the county of Putnam;" a bill entitled "An act to authorise the formation of a militia company, for the protection and support of the Mount-Pleasant State prison;" a bill entitled "An act authorising Jonathan Thompson and George W. Thompson to erect and maintain docks in the city of Brooklyn;" a bill entitled "An act to incorporate the Bath and Coney Island turnpike company;" a bill entitled "An act to renew the act entitled 'An act to renew the act for the preservation of the public health;'" a bill entitled "An act to amend the act relating to the militia and public defence;" a bill entitled "An act for the erection of State prison buildings for female convicts," and a bill entitled "An act for the relief of James Blatherwick."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to change the name of the Second Presbyterian congregational society in the town of Carmel in the county of Putnam," was referred to the committee on the incorporation of charitable and religious societies; the bill entitled "An act to authorise the formation of a militia company, for the protection and support of the Mount-Pleasant State prison," was referred to the committee on State prisons; the bill entitled "An act authorising Jonathan Thompson and George W. Thompson to erect and maintain docks

in the city of Brooklyn," was referred to a select committee, consisting of Mr. Brasher, Mr. Phillips and Mr. Conklin; the bill entitled "An act to incorporate the Bath and Coney Island turnpike company." was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies; the bill entitled "An act to renew the act entitled 'An act to renew the act for the preservation of the public health,'" was referred to a select committee, consisting of Mr. Stetson, Mr. Livingston and Mr. Patterson; the bill entitled "An act to amend the act relating to the militia and public defence," was referred to the committee on the militia and public defence; the bill entitled "An act for the erection of State prison buildings for female convicts," was referred to the committee on State prisons; and the bill entitled "An act for the relief of James Blatherwick," was referred to a select committee, consisting of Mr. Wilkinson, Mr. Crowell and Mr. Hough, severally to consider and report thereon.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Kingston turnpike and rail-road company," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act to extend and continue the charter of the Union furnace company in the town of Frankfort;" and a bill entitled "An act in addition to the act to amend the act entitled 'An act for establishing a turnpike road between the cities of Albany and Schenectady,' passed March 30th, 1802."

The said bills were severally read the first time, and by unanimous consent were also read a second time.

Thereupon,

Mr. Gray made a motion that the House should agree to order the said bills to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gray, and it was unanimously determined in the affirmative.

And then the House adjourned until ten o'clock to-morrow morning.

THURSDAY, APRIL 16, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the town of Chesterfield in the county of Essex, praying for the passage of an act subjecting the personal property of incorporated companies to taxation for the support of highways, was read, and ordered to be laid upon the table.

The remonstrance of sundry inhabitants of the county of Dutchess, against the passage of an act authorising the appointment of commissioners to lay out a road from Poughkeepsie to Pine-Plains in said county, was read, and committed to the committee of the whole when on the bill upon that subject.

The petition of sundry inhabitants of the county of Erie, praying for the incorporation of a company to construct a rail-road from the city of Buffalo to Abbott's corners in said county, was read, and referred to the committee on rail-roads.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Bath and Coney Island turnpike company," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to change the name of the Second Presbyterian congregational society in the town of Carmel in the county of Putnam," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Groom, from the committee on State prisons, to which was referred the engrossed bill from the Senate, entitled "An act to authorise the formation of a military company, for the protection and support of the Mount-Pleasant State prison," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.



Mr. Groom, from the committee on State prisons, to which was referred the engrossed bill from the Senate, entitled "An act for the erection of State prison buildings for female convicts," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," reported, that the committee have examined the said bill, and prepared amendments thereto, with which they see no reason why the same should not be passed into a law.

*Ordered.* That the said bill be laid upon the table.

Mr. P. W. Paddock, from the committee on canals and internal improvements, to which was referred the petition of sundry inhabitants of the county of St. Lawrence, praying for the survey of a canal route from the mouth of the Oswegatchie river, to the village of Canton, reported a bill, entitled "An act authorising the survey of a canal route from the mouth of Oswegatchie river, to the village of Canton;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The House then proceeded to the consideration of the report of the committee on canals and internal improvements, on the bill entitled "An act authorising the survey of a canal route from the Erie canal at Buffalo, to Allegany river;" the said report being, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to be engrossed.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants and of the corporation of the city of Hudson, praying for a division of said city, and for the erection of a new town therefrom, reported a bill, entitled "An act to erect the town of Ridgeburgh in the county of Columbia;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, to report the same complete.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Hamburg in the county of Erie, praying for a division of said town, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Sullivan, praying for the incorporation of a company to construct a turnpike from the Delaware and Hudson canal, to the Newburgh turnpike, reported a bill, entitled "An act to incorporate the Lumberland and Bethel turnpike road company;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Livingston, from the committee on the judiciary, to which was referred the report of the Commissioners of the Land-Office, touching the application of Edward W. De Grove, in behalf of himself and others, for a release of such interest as the State may have acquired by escheat in a certain lot of ground in the city of New-York, reported; and offered the following resolution:

[See Document No. 371.]

*Resolved*, That the prayer of the petitioner ought not to be granted.

*Ordered*, That the said resolution be laid upon the table.

Mr. Wilkinson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act for the relief of James Blatherwick," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

In pursuance of previous notice, Mr. Cash asked for and obtained the unanimous consent of the House, to bring in a bill, entitled "An act to amend article first of title first of chapter fifteenth of part first of the Revised Statutes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Cuykendall, from the select committee to which was referred the bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,'

passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes.)" reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Bennet, from the select committee to which was referred the bill entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Moore, from the select committee to which was referred, by a resolution of the tenth instant, the several propositions then before this House, relative to changing the judiciary system of this State, reported:

[See Document No. 370.]

*Ordered*, That the said report be laid upon the table.

Mr. Brasher, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act authorising Jonathan Thompson and George W. Thompson to erect and maintain docks in the city of Brooklyn," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to authorise Dix Hoar and his family to change their name."

Also the bill entitled "An act to repeal so much of the Revised Statutes as relates to the inspection of fish taken in the county of Jefferson."

Also the bill entitled "An act to incorporate the Orphan asylum of the city of Brooklyn."

Also the bill entitled "An act to amend an act entitled 'An act to appoint commissioners to lay out a road from the head of the Crooked lake in the county of Steuben, to the village of Angelica in the county of Allegany,' passed May 1, 1834."

Also the bill entitled "An act to amend the charter of the minister, elders and deacons of the Second Protestant Reformed Dutch church in the city of Albany."

Also the bill entitled "An act to erect a new town from parts of the towns of Angelica, Almond and Alfred in the county of Allegany."

Also the bill entitled "An act authorising an additional sum of money to be raised in the town of Sullivan in the county of Madison, for the construction and maintenance of a highway from Chittenango landing to Oneida lake."

W. L. MARCY.

*Albany, April 15, 1835.*

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to incorporate the Western eye and ear infirmary;" the bill entitled "An act to divide the town of Catlin in the county of Tioga;" and the bill entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have rejected the bill entitled "An act to amend the Revised Statutes in relation to laying out public highways."

A message from the Senate was read, informing that they have passed the bill entitled "An act to authorise William H. Spencer to construct a dam across the Genesee river," with the amendment therewith delivered.

The said bill and amendment were read; and the amendment having been again read, and concurred in,

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendment to the said bill, and amended the same accordingly.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Nichols and Tioga bridge company in the county of Tioga;" a bill entitled "An act respecting Aries and First-street in the village of Oswego;" a bill entitled "An act for the building of a bridge across the Genesee river in the county of Monroe;" a bill entitled "An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Watertown,' passed April 26th, 1831;" and a bill entitled "An act to erect a new town from parts of the towns of Vernon and Augusta in Oneida county, and of Smithfield and Lenox in Madison county, and to annex the same to the latter county."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to incorporate the Nichols and Tioga bridge company in the county of Tioga," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies; the bill entitled "An act respecting Aries and First-street in the village of Oswego," was referred to

the committee on public lands; the bill entitled "An act for the building of a bridge across the Genesee river in the county of Monroe," was referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies; the bill entitled "An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Watertown,' passed April 26th, 1831," was referred to the committee on the incorporation of cities and villages; and the bill entitled "An act to erect a new town from parts of the towns of Vernon and Augusta in Oneida county, and of Smithfield and Lenox in Madison county, and to annex the same to the latter county," was referred to the committee on the erection and division of towns and counties, severally to consider and report thereon.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Rome academy."

The said bills was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Shepard made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Shepard, and it was unanimously determined in the affirmative.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to incorporate the Kingston turnpike and rail-road company."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Baker	Mr. Hall	Mr. Phillips
Mr. Barnes	Mr. Harvey	Mr. Philo
Mr. Beecher	Mr. A. Hascall	Mr. Plumb
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Rice
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. Ringgold
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Ingersoll	Mr. Shafer
Mr. Burke	Mr. Jones	Mr. Shepard
Mr. Barnum	Mr. Judd	Mr. D. Sibley

Mr. Barr	Mr. Kent	Mr. M. H. Sibley
Mr. Carpenter	Mr. Krum	Mr. Simmons
Mr. Cash	Mr. J. W. Lewis	Mr. Speaker
Mr. A. Clark	Mr. Livingston	Mr. Springer
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Suffern
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crain	Mr. M'Kie	Mr. Tillinghast
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Murphy	Mr. Warren
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Fisher	Mr. Palmer	Mr. Woodbury
Mr. Gray	Mr. Parker	Mr. Woodward
Mr. Griswold	Mr. Patterson	Mr. A. Woodworth 99

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Parker
Mr. Baker	Mr. Griswold	Mr. Patterson
Mr. Barnes	Mr. Groom	Mr. Pettit
Mr. Beecher	Mr. Harvey	Mr. Phillips
Mr. Benjamin	Mr. A. Hascall	Mr. Philo
Mr. Bennet	Mr. Hendee	Mr. Plumb
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brasher	Mr. Hiller	Mr. Rice
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. Ringgold
Mr. G. Brown	Mr. Hough	Mr. Seger

Mr. Burhans	Mr. Jones	Mr. Shafer
Mr. Burke	Mr. Judd	Mr. Shepard
Mr. Barnum	Mr. Kent	Mr. D. Sibley
Mr. Burr	Mr. Krum	Mr. M. H. Sibley
Mr. Cadwell	Mr. J. W. Lewis	Mr. Simmons
Mr. Carpenter	Mr. T. Lewis	Mr. Speaker
Mr. Cash	Mr. Livingston	Mr. Springer
Mr. A. Clark	Mr. Lockwood	Mr. C. Strong
Mr. C. Clark	Mr. Loomis	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crary	Mr. M'Kie	Mr. Tyrrel
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Warren
Mr. Dayan	Mr. Murphy	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth 96

Those who voted in the negative are

Mr. Coc

Mr. Preston

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act regulating the tax on dogs."

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to revive the act entitled 'An act to incorporate the Niagara canal company,' passed April 11th, 1823," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 67 }  
{ NAYS 34 }

in the affirmative are

Mr. Brasher	Mr. Groom	Mr. Philo
Mr. Brooks	Mr. Harvey	Mr. Plumb
Mr. A. Brown	Mr. A. Hascall	Mr. Richmond
Mr. G. Brown	Mr. Hendee	Mr. Ringgold
Mr. Burhans	Mr. Hiller	Mr. Shafer
Mr. Burke	Mr. Hillyer	Mr. Shepard
Mr. Burr	Mr. Hough	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. A. Clark	Mr. Judd	Mr. Speaker
Mr. C. Clark	Mr. Kent	Mr. Springer
Mr. J. Clark	Mr. Krum	Mr. Stetson
Mr. Coe	Mr. T. Lewis	Mr. C. Strong
Mr. Crosby	Mr. Lytle	Mr. E. Strong
Mr. Crowell	Mr. Mallory	Mr. Thorn
Mr. Dayan	Mr. M'Cluer	Mr. Tyrrel
Mr. Denniston	Mr. M'Neil	Mr. Wager
Mr. Farwell	Mr. Moore	Mr. Warren
Mr. Gray	Mr. Niles	Mr. Wheeler
	Mr. W. S. Paddock	Mr. Wilkinson
	Mr. Parker	Mr. Woodbury
	Mr. Patterson	Mr. Woodward
	Mr. Pettit	Mr. A. Woodworth

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Those who voted in the negative are

Mr. Baker	Mr. Hicks	Mr. P. W. Paddock
Mr. Barnes	Mr. Horton	Mr. Palmer
Mr. Barnum	Mr. Ingersoll	Mr. Powers
Mr. Carpenter	Mr. J. W. Lewis	Mr. Preston
Mr. Cash	Mr. Livingston	Mr. Seger
Mr. Conklin	Mr. Lockwood	Mr. Simmons
Mr. Crary	Mr. Loomis	Mr. Suffern
Mr. Cuykendall	Mr. M'Kie	Mr. Tillinghast
Mr. Eldred	Mr. Moseley	Mr. Waldron
Mr. Finch	Mr. Murphy	Mr. Wilcoxson
Mr. Healy	Mr. Odell	Mr. Williams
Mr. Hertiell		

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The House then proceeded to the consideration of the resolution heretofore offered by Mr. Dayan; the same was again read, in the words following, to wit:

*Resolved*, That a committee of two from each Senate district be appointed, to read for the third time all bills for the creation of turnpike companies, insurance companies, rail-road companies, and bills for the incorporation of villages and cities; that no bill so read shall be reported by such committee, unless it be assented to by a quorum of such committee; and that bills thus read, must be again read in the House upon the request of any member.



Mr. Speaker put the question whether the House would agree to the said resolutions, and it was determined in the affirmative. Thereupon,

*Ordered*, That Mr. Dayan, Mr. Phillips, Mr. Clinch, Mr. Cash, Mr. Thorn, Mr. Livingston, Mr. Springer, Mr. A. Hascah, Mr. Adams, Mr. Farwell, Mr. Fisher, Mr. Crary, Mr. M. H. Sibley, Mr. Parker, Mr. A. Clark and Mr. Patterson, be the said committee.

*Ordered*, That Mr. J. Haskell have leave of absence for three days, Mr. Hildreth for six days, and Mr. Ogden for five days.

Mr. Wilkinson offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That this House will hereafter hold an afternoon session, except on Saturdays, commencing this day at four o'clock in the afternoon.

Debates were had thereon; and while the same was under consideration, Mr. Murphy made a motion that House should agree to adjourn.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Murphy, and it was determined in the negative.

{ NAYS 79 }  
{ AYES 20 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Hough	Mr. Powers
Mr. Beecher	Mr. Ingersoll	Mr. Preston
Mr. Benjamin	Mr. Jones	Mr. Richmond
Mr. Brasher	Mr. Judd	Mr. Ringgold
Mr. Brooks	Mr. Kent	Mr. Seger
Mr. A. Brown	Mr. J. W. Lewis	Mr. Shepard
Mr. G. Brown	Mr. T. Lewis	Mr. D. Sibley
Mr. Burhans	Mr. Livingston	Mr. M. H. Sibley
Mr. Burke	Mr. Lockwood	Mr. Simmons
Mr. Barnum	Mr. Lytle	Mr. Speaker
Mr. Burr	Mr. Mallory	Mr. Springer
Mr. Cadwell	Mr. M'Cluer	Mr. Stetson
Mr. Carpenter	Mr. M'Kie	Mr. E. Strong
Mr. Cash	Mr. M'Neil	Mr. Suffern
Mr. C. Clark	Mr. Moore	Mr. Thorn
Mr. Coe	Mr. Moseley	Mr. Tillinghast
Mr. Conklin	Mr. Niles	Mr. Tyrrel
Mr. Cuykendall	Mr. Odell	Mr. Wager
Mr. Denniston	Mr. Ostrom	Mr. Waldron
Mr. Eldred	Mr. P. W. Paddock	Mr. Warren
Mr. Farwell	Mr. Palmer	Mr. Wheeler
Mr. Finch	Mr. Parker	Mr. Wilkinson

Mr. Griswold	Mr. Patterson	Mr. Williams
Mr. A. Hascall	Mr. Phillips	Mr. Woodbury
Mr. Healy	Mr. Philo	Mr. Woodward
Mr. Hendee	Mr. Plumb	Mr. A. Woodworth
Mr. Hertell		

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Those who voted in the affirmative are

Mr. Baker	Mr. Fisher	Mr. Krum
Mr. Barnes	Mr. Gray	Mr. Loomis
Mr. Bennet	Mr. Groom	Mr. Murphy
Mr. A. Clark	Mr. Hicks	Mr. W. S. Paddock
Mr. J. Clark	Mr. Hiller	Mr. Shafer
Mr. Crary	Mr. Hillyer	Mr. C. Strong
Mr. Dayan	Mr. Horton	

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Thereupon,

The said resolution being amended, was again read, in the words following, to wit:

*Resolved*, That this House will hold an afternoon session, except on Saturdays, commencing on Monday next, at four o'clock in the afternoon, for the purpose of resolving itself into a committee of the whole.

Mr. Lockwood offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved by the Senate and Assembly*, That the Governor of this State is hereby requested to cause to be procured a suitable sword, with appropriate devices and emblems thereon, and to present the same to Col. William J. Worth, a citizen of this State, of the United States army, as a token of the high estimation which his native State entertains for his distinguished talents as an officer, and personal bravery evinced in several battles during the late war with Great Britain.

And then the House adjourned until ten o'clock to-morrow morning.

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## FRIDAY, APRIL 17, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the counties of Dutchess and Ulster, against any extension of the exclusive privileges of the Poughkeepsie and New-Paltz Ferry Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The memorial of the mayor, aldermen and commonalty of the

city of New-York, praying for authority to alter the map of the city, between Thirteenth and Twenty-third-street, First avenue, and the East river, was read, and referred to a select committee, consisting of the members attending this House from the city and county of New-York.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the petition of the German Roman Catholic Congregation of the city of New-York, praying for an act of incorporation, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Griswold, from the select committee to which was referred the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Hough, from the select committee to which was referred the bill entitled "An act to incorporate the Lake Champlain steam boat transportation company," reported, that the committee had gone through the said bill, made an amendment thereto, the said amendment being to alter the title to "An act to incorporate the Lake Champlain steam-boat navigation company," and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Eight several messages from the Senate were read, informing that they have passed the bill entitled "An act to raise money in the county of Genesee, to build and repair certain bridges in the town of China;" the bill entitled "An act altering the name of Posteritas Pope Benton;" the bill entitled "An act to change the time of holding the court of common pleas and general sessions in the county of Schoharie;" the bill entitled "An act to amend an act entitled 'An act authorising the board of supervisors of the county of St. Lawrence to lay a tax on the town of Oswegatchie, to be invested in an academy and lot, and for other purposes,' passed April 26th, 1833;" the bill entitled "An act to provide for repairing the clerk's office in the county of Warren;" the bill entitled "An act confirming the official acts of Abram Hawn, a justice of the peace;" the bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary;" and the bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo,'" severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the act entitled 'An act to incorporate and vest certain powers in the freeholders and inhabitants of the village of Williamsburgh in the county of Kings,' passed April 14th, 1827," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Patterson
Mr. Baker	Mr. Griswold	Mr. Phillips
Mr. Barnes	Mr. Groom	Mr. Philo
Mr. Beecher	Mr. Hall	Mr. Plumb
Mr. Benjamin	Mr. A. Hascall	Mr. Powers
Mr. Bennet	Mr. J. Haskell	Mr. Preston
Mr. Blitchly	Mr. Healy	Mr. Rice
Mr. Brasher	Mr. Hertt	Mr. Richmond
Mr. Brooks	Mr. Hicks	Mr. Seger
Mr. A. Brown	Mr. Hiller	Mr. Shafer
Mr. G. Brown	Mr. Hillyer	Mr. Shepard
Mr. Burhans	Mr. Horton	Mr. D. Sibley
Mr. Burke	Mr. Hough	Mr. M. H. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. Simmons
Mr. Burr	Mr. Judd	Mr. Speaker
Mr. Cadwell	Mr. Kent	Mr. Springer
Mr. Carpenter	Mr. King	Mr. C. Strong
Mr. Cash	Mr. J. W. Lewis	Mr. Thorn
Mr. A. Clark	Mr. T. Lewis	Mr. Tillinghast
Mr. C. Clark	Mr. Lockwood	Mr. Tyrrel
Mr. J. Clark	Mr. Loomis	Mr. Van Bergen
Mr. Clinch	Mr. Lytle	Mr. Wager
Mr. Coe	Mr. Mallory	Mr. Waldron
Mr. Conklin	Mr. M'Cluer	Mr. Warren
Mr. Crary	Mr. M'Kie	Mr. Wetmore
Mr. Crosby	Mr. M'Neil	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson

Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Davis	Mr. Murphy	Mr. Williams
Mr. Dayan	Mr. Odell	Mr. Woodbury
Mr. Denniston	Mr. Ostrom	Mr. Woodward
Mr. Eldred	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Fiach	Mr. Palmer	Mr. W. Woodworth

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Pettit
Mr. Anthony	Mr. Griswold	Mr. Phillips
Mr. Baker	Mr. Groom	Mr. Philo
Mr. Barnes	Mr. Hall	Mr. Plumb
Mr. Beecher	Mr. Harvey	Mr. Powers
Mr. Benjamin	Mr. A. Hascall	Mr. Preston
Mr. Bennet	Mr. Healy	Mr. Richmond
Mr. Blatchly	Mr. Hicks	Mr. Ringgold
Mr. Brasher	Mr. Hiller	Mr. Seger
Mr. Brooks	Mr. Hillyer	Mr. Shafer
Mr. A. Brown	Mr. Horton	Mr. Shepard
Mr. G. Brown	Mr. Hough	Mr. D. Sibley
Mr. Burhans	Mr. Judd	Mr. M. H. Sibley
Mr. Burke	Mr. Kent	Mr. Simmons
Mr. Barnum	Mr. King	Mr. Speaker
Mr. Burr	Mr. J. W. Lewis	Mr. Springer
Mr. Cadwell	Mr. T. Lewis	Mr. E. Strong
Mr. Carpenter	Mr. Livingston	Mr. Suffern
Mr. Cash	Mr. Lockwood	Mr. Thorn
Mr. A. Clark	Mr. Loomis	Mr. Tillinghast
Mr. C. Clark	Mr. Lytle	Mr. Tyrrel
Mr. J. Clark	Mr. M'Cluer	Mr. Van Bergen
Mr. Coc	Mr. M'Kie	Mr. Wager
Mr. Conklin	Mr. M'Neil	Mr. Waldron

Mr. Crary	Mr. Moore	Mr. Warren
Mr. Crosby	Mr. Moseley	Mr. Wheeler
Mr. Crowell	Mr. Murphy	Mr. Wilcoxson
Mr. Cuykendall	Mr. Niles	Mr. Wilkinson
Mr. Davis	Mr. Odell	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Denniston	Mr. W. S. Paddock	Mr. Woodward
Mr. Eldred	Mr. Palmer	Mr. A. Woodworth
Mr. Finch	Mr. Parker	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	101

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	3
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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Patterson
Mr. Baker	Mr. Griswold	Mr. Phillips
Mr. Barnes	Mr. Groom	Mr. Philo
Mr. Beecher	Mr. Hall	Mr. Plumb
Mr. Benjamin	Mr. Harvey	Mr. Powers
Mr. Bennet	Mr. A. Hascall	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Richmond
Mr. Brasher	Mr. Hicks	Mr. Ringgold
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. A. Brown	Mr. Hillyer	Mr. Shafer
Mr. G. Brown	Mr. Horton	Mr. Shepard
Mr. Burhans	Mr. Hough	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. C. Strong

Mr. Cash	Mr. Livingston	Mr. E. Strong
Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. C. Clark	Mr. Loomis	Mr. Tillinghast
Mr. J. Clark	Mr. Lytle	Mr. Tyrrel
Mr. Coe	Mr. Mallory	Mr. Van Bergen
Mr. Conklin	Mr. M'Cluer	Mr. Waldron
Mr. Crary	Mr. M'Kie	Mr. Wheeler
Mr. Crosby	Mr. M'Neil	Mr. Wilcoxson
Mr. Crowell	Mr. Moore	Mr. Wilkinson
Mr. Cuykendall	Mr. Moseley	Mr. Williams
Mr. Davis	Mr. Murphy	Mr. Woodbury
Mr. Dayan	Mr. Nilcs	Mr. Woodward
Mr. Denniston	Mr. Odell	Mr. A. Woodworth
Mr. Eldred	Mr. Ostrom	Mr. W. Woodworth
Mr. Finch	Mr. Palmer	

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Those who voted in the negative are

Mr. Clinch	Mr. W. S. Paddock	Mr. Wetmore
Mr. J. Haskell		

4

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act in relation to the trustees of the Sailors' snug harbor in the city of New-York,' passed April 23d, 1834," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 107 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Baker	Mr. Harvey	Mr. Phillips
Mr. Barnes	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. J. Haskell	Mr. Plumb
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Herttell	Mr. Preston
Mr. Blatchly	Mr. Hicks	Mr. Richmond
Mr. Brasher	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shafer
Mr. G. Brown	Mr. Hough	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley

Mr. Barcum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. E. Strong
Mr. Cash	Mr. Livingston	Mr. Suffern
Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. C. Clark	Mr. Loomis	Mr. Tillinghast
Mr. J. Clark	Mr. Lytle	Mr. Tyrrel
Mr. Coe	Mr. Mallory	Mr. Van Bergen
Mr. Conklin	Mr. M'Cluer	Mr. Wager
Mr. Crary	Mr. M'Kie	Mr. Waldron
Mr. Crosby	Mr. M'Neil	Mr. Warren
Mr. Crowell	Mr. Moore	Mr. Wetmore
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Murphy	Mr. Wilcoxson
Mr. Dayan	Mr. Niles	Mr. Wilkinson
Mr. Denniston	Mr. Odell	Mr. Williams
Mr. Eldred	Mr. Ostrom	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. W. Woodworth
Mr. Griswold	Mr. Patterson	107

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The Senate sent for concurrence, a bill entitled "An act to incorporate the Montgomery iron company;" a bill entitled "An act authorising the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn;" and a bill entitled "An act in relation to the assessment of highway labor."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to incorporate the Montgomery iron company," was referred to a select committee, consisting of Mr. Cash, Mr. Denniston and Mr. Eldred, to report the same complete; the bill entitled "An act authorising the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn," was referred to the committee on the incorporation of cities and villages; and the bill entitled "An act in relation to the assessment of highway labor," was referred to a select committee, consisting of Mr. Wilkinson, Mr. Anthony and Mr. D. Sibley, severally to consider and report thereon.

The engrossed bill entitled "An act authorising Curtis Peck to erect a wharf in the town of Rye in the county of Westchester," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act relative to the laws and ordinances of the common council of the city of New-York," was read the third time.

*Resolved*, That the bill do pass.



The engrossed bill entitled "An act authorising money to be raised by tax, to build a bridge across Shawangunk-kill in the county of Ulster," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising John Cockett and John Cockett junior, to maintain the dam erected by Samuel Crafts across the Susquehannah river," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act granting certain lands and lands under water in the village of Williamsburgh, county of Kings, to certain persons therein named, owners of the adjacent upland, and authorising them to erect a dock or docks thereon," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to the Cohoes bridge company." was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to incorporate the Genesee seminary," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 104 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Anthony	Mr. Hall	Mr. Philo
Mr. Baker	Mr. Harvey	Mr. Plumb
Mr. Barnes	Mr. A. Hascall	Mr. Powers
Mr. Beecher	Mr. J. Haskell	Mr. Preston
Mr. Benjamin	Mr. Healy	Mr. Rice
Mr. Bennet	Mr. Hicks	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Hough	Mr. Shafer
Mr. G. Brown	Mr. Jones	Mr. Shepard
Mr. Burhans	Mr. Kent	Mr. D. Sibley
Mr. Burke	Mr. King	Mr. M. H. Sibley
Mr. Barnum	Mr. J. W. Lewis	Mr. Simmons
Mr. Burr	Mr. T. Lewis	Mr. Speaker
Mr. Cadwell	Mr. Livingston	Mr. Springer

Mr. Carpenter	Mr. Lockwood	Mr. C. Strong
Mr. Cash	Mr. Loomis	Mr. E. Strong
Mr. A. Clark	Mr. Lytle	Mr. Saffern
Mr. C. Clark	Mr. Mallory	Mr. Thorn
Mr. J. Clark	Mr. M'Cluer	Mr. Tillinghast
Mr. Coe	Mr. M'Kie	Mr. Tyrrel
Mr. Conklin	Mr. M'Neil	Mr. Van Bergen
Mr. Crary	Mr. Moore	Mr. Wager
Mr. Crosby	Mr. Moseley	Mr. Waldron
Mr. Crowell	Mr. Murphy	Mr. Warren
Mr. Davis	Mr. Niles	Mr. Wheeler
Mr. Dayan	Mr. Odell	Mr. Wilcoxson
Mr. Denniston	Mr. Ostrom	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Woodward
Mr. Fisher	Mr. Patterson	Mr. A. Woodworth
Mr. Gray	Mr. Peck	Mr. W. Woodworth
Mr. Griswold	Mr. Pettit	

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The engrossed bill entitled "An act to incorporate the Rochester water-works company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 106 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Phillips
Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Baker	Mr. A. Hascall	Mr. Plumb
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Hicks	Mr. Preston
Mr. Benjamin	Mr. Hiller	Mr. Rice
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Blatchly	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Jones	Mr. Shafer
Mr. G. Brown	Mr. Judd	Mr. Shepard
Mr. Burhans	Mr. Kent	Mr. D. Sibley
Mr. Burke	Mr. King	Mr. M. H. Sibley
Mr. Barnum	Mr. J. W. Lewis	Mr. Simmons
Mr. Burr	Mr. T. Lewis	Mr. Speaker
Mr. Cadwell	Mr. Livingston	Mr. Springer
Mr. Carpenter	Mr. Lockwood	Mr. Stetson
Mr. Cash	Mr. Loomis	Mr. C. Strong
Mr. A. Clark	Mr. Lytle	Mr. E. Strong

Mr. C. Clark	Mr. Mallory	Mr. Suffern
Mr. J. Clark	Mr. M'Chuer	Mr. Thorn
Mr. Coe	Mr. M'Kie	Mr. Tillinghast
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldton
Mr. Davis	Mr. Niles	Mr. Warren
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Eldred	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. Palmer	Mr. Williams
Mr. Finch	Mr. Parker	Mr. Woodbury
Mr. Fisher	Mr. Patterson	Mr. Woodward
Mr. Gray	Mr. Peck	Mr. A. Woodworth
Mr. Griswold	Mr. Pettit	Mr. W. Woodworth
Mr. Groom		108

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	3
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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act relating to academics," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act to provide for deepening the waters adjacent to the wharves, piers, docks, bulkheads and shores in the city of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 106 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Anthony	Mr. Hall	Mr. Philo
Mr. Baker	Mr. Harvey	Mr. Plumb
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shafer
Mr. G. Brown	Mr. Hough	Mr. Shepard

Mr. Burhaus	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Sprunger
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Cash	Mr. Livingston	Mr. C. Strong
Mr. A. Clark	Mr. Lytle	Mr. E. Strong
Mr. C. Clark	Mr. Mallory	Mr. Suffern
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Clinch	Mr. M'Kie	Mr. Tillinghast
Mr. Coe	Mr. M'Neil	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Murphy	Mr. Waldron
Mr. Crowell	Mr. Niles	Mr. Warren
Mr. Cuykendall	Mr. Odell	Mr. Wetmore
Mr. Davis	Mr. Ostrom	Mr. Wheeler
Mr. Dayan	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Denniston	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. Palmer	Mr. Williams
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. Woodward
Mr. Fisher	Mr. Peck	Mr. A. Woodworth
Mr. Gray	Mr. Pettit	Mr. W. Woodworth
Mr. Griswold		106

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

A message from the Senate was read, informing that they have passed the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 105 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. Hall	Mr. Philo
Mr. Beecher	Mr. Harvey	Mr. Plumb
Mr. Benjamin	Mr. A. Hascall	Mr. Powers

Mr. Bennot	Mr. Healy	Mr. Preston
Mr. Blatchly	Mr. Hicks	Mr. Richmond
Mr. Brasher	Mr. Hiller	Mr. Ringgold
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shafer
Mr. G. Brown	Mr. Hough	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. M. H. Sibley
Mr. Barnum	Mr. Kent	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Cash	Mr. Livingston	Mr. C. Strong
Mr. A. Clark	Mr. Lockwood	Mr. E. Strong
Mr. C. Clark	Mr. Lytle	Mr. Suffern
Mr. J. Clark	Mr. Mallory	Mr. Thorn
Mr. Coc	Mr. M'Cluer	Mr. Tillinghast
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Warren
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Woodward
Mr. Fisher	Mr. Patterson	Mr. A. Woodworth
Mr. Gray	Mr. Peck	Mr. W. Woodworth

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Those who voted in the negative are

Mr. Clinch	Mr. Wetmore	2
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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill from the Senate, entitled "An act to incorporate the Troy Young Men's association," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 104 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Baker	Mr. Hall	Mr. Philo
Mr. Barnes	Mr. Harvey	Mr. Plumb
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Ringgold
Mr. Brasher	Mr. Hillyer	Mr. Seger
Mr. Brooks	Mr. Horton	Mr. Shafer
Mr. A. Brown	Mr. Hough	Mr. Shepard
Mr. G. Brown	Mr. Jones	Mr. D. Sibley
Mr. Burhaus	Mr. Judd	Mr. M. H. Sibley
Mr. Burke	Mr. Kent	Mr. Simmons
Mr. Barnum	Mr. King	Mr. Speaker
Mr. Burr	Mr. J. W. Lewis	Mr. Springer
Mr. Cadwell	Mr. T. Lewis	Mr. Stetson
Mr. Carpenter	Mr. Livingston	Mr. C. Strong
Mr. Cash	Mr. Lytle	Mr. E. Strong
Mr. C. Clark	Mr. Mallory	Mr. Suffern
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. M'Kie	Mr. Tillinghast
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Warren
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayau	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Palmer	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Woodward
Mr. Fisher	Mr. Patterson	Mr. A. Woodworth
Mr. Gray	Mr. Peck	Mr. W. Woodworth
Mr. Griswold	Mr. Pettit	

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Those who voted in the negative are

Mr. Wetmore

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*Ordered,* That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Livingston offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved,* That the question on the final passage of the bill entitled "An act to revive the act to incorporate the Niagara canal company, passed April 11th, 1823," be reconsidered.

*Ordered,* That the said resolution be laid upon the table.

On motion of Mr. Brasher,

*Resolved,* That the engrossed bill from the Senate, entitled "An

act to incorporate the United States naval lyceum in Brooklyn," be ordered to a third reading.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Lockwood; the same was again read, in the words following, to wit:

*Resolved by the Senate and Assembly,* That the Governor of this State is hereby requested to cause to be procured a suitable sword, with appropriate devices and emblems thereon, and to present the same to Col. William J. Worth, a citizen of this State, of the United States army, as a token of the high estimation which his native State entertains for his distinguished talents as an officer, and personal bravery evinced in several battles during the late war with Great Britain.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered,* That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to divide the town of Catlin in the county of Tioga."

Also the bill entitled "An act to incorporate the Western eye and ear infirmary."

Also the bill entitled "An act to revive and continue the act entitled 'An act authorising John Wall to erect a toll-bridge across the Oswego river,' passed April 20th, 1830."

W. L. MARCY.

*Albany, April 17, 1835.*

The Senate returned the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes."

*Ordered,* That the Clerk deliver the said bill to the Governor.

And then the House adjourned until ten o'clock to-morrow morning.

SATURDAY, APRIL 18, 1835.

The House met pursuant to adjournment.

The memorial of Jesse Torrey junior, relative to the ventilation of rooms used for public purposes, was read, and referred to the committee on medical subjects.

The petition of the common council of the city of Hudson, praying for authority to lay out a public square, was read, and referred to a select committee, consisting of Mr. Shafer, Mr. Wilcoxson and Mr. Stevens.

The remonstrance of the Tonawanda Rail-Road Company, against any alteration of their charter, was read, and committed to the committee of the whole when on the bill regulating the proceedings of rail-road corporations.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act authorising the survey of a canal route from the Erie canal at Buffalo, to the Allegany river;" the engrossed bill entitled "An act to amend the act entitled 'An act to authorise Benajah Byington to search for rock salt in the county of Onondaga,' passed April 13th, 1820;" the engrossed bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge. (except the bridge and causeway or roads over the Seneca river and marshes);" the engrossed bill entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot;" the engrossed bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace;" the engrossed bill entitled "An act authorising Marcus B. Osborne to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk;" the engrossed bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville;" the engrossed bill entitled "An act to incorporate the Clinton and Essex mutual fire insurance company;" the engrossed bill entitled "An act to incorporate the Syracuse fine salt company;" the engrossed bill entitled "An act in relation to school district number one in the town of Salina;" the engrossed bill entitled "An act to authorise the establishment of the New-York State agricultural school;" the engrossed bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in the county of Kings, and for other purposes;" the engrossed bill entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton;" the engrossed bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh," and the engrossed bill entitled "An act to incorporate the Lake Cham-



plain steam-boat navigation company," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Fisher, from the select committee to which was referred the bill entitled "An act to incorporate the village of Havana in the county of Tioga," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

On motion of Mr. Wetmore,

*Resolved*, That the committee on colleges, academies and common schools, be discharged from the further consideration of the petition of inhabitants of the town of Skaneateles, Onondaga county, praying for the incorporation of the Mechanics' Literary Society; and that the petitioners have leave to withdraw their petition.

Mr. Judd, from the select committee to which was referred the bill entitled "An act relating to the State arsenal in the city of New-York," reported; and brought in a bill as a substitute for the bill referred to the committee, which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

[See Documents No. 372.]

Mr. Cash, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Montgomery iron company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read and agreed to by the House, and the bill ordered to a third reading.

Mr. Stetson, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to renew the act entitled 'An act to renew the act for the preservation of the public health,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Van Bergen, from the select committee to which was referred the petition of sundry inhabitants of the town of Catskill in the county of Greene, praying for a law authorising them to raise money by tax on said town, for the purpose of constructing two bridges over the Caderskill, reported; and asked leave to introduce a bill.

[See Document No. 373.]

*Ordered*, That leave be given to bring in such bill.

Mr. Van Bergen, according to leave, brought in the said bill, entitled "An act to authorise the building of two bridges over the Caderskill in the town of Catskill in the county of Greene;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Van Bergen, Mr. Ingersoll and Mr. Davis, to report the same complete.

Mr. A. Hascall, from the select committee to which was referred so much of the Governor's message as relates to county prisons, reported; and offered the following resolution:

[See Document No. 390.]

*Resolved*, That the select committee on so much of the Governor's message as relates to county prisons, be discharged from any further consideration of the subject committed to them.

Mr. Spenker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Clinch, from the select committee to which was referred the memorial of the American Institute of the city of New-York, praying for a geological survey of the State, reported; and offered the following resolution:

[See Document No. 374.]

*Resolved*, That the Secretary of State be requested to report to the Legislature, at its next session, the most expedient method of obtaining a complete geological survey of this State, which shall furnish a scientific and perfect account of its rocks, soils and minerals, and of their localities; a list of all its mineralogical, botanical and zoological productions, and provide for procuring and preserving specimens of the same; together with an estimate of the expense which may attend the prosecution of the design, and of the cost of publication of an edition of three thousand copies of the report, with drawings and a geological map of its results.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That four times the usual number of copies of the said report and resolution be printed for the use of the Legislature.

The Senate returned the bill entitled "An act to amend the several laws relating to taxes upon dogs;" the bill entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river," and the bill entitled "An act to authorise William H. Spencer to construct a dam across the Genesee river."

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Clyde in the county of Wayne," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act to amend an act to incorporate the village of Little-Falls in the county of Herkimer, passed April 14th, 1827."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Gray made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Gray, and it was unanimously determined in the affirmative.

The Senate returned the bill entitled "An act to amend the act entitled 'An act to incorporate and vest certain powers in the freeholders and inhabitants of the village of Williamsburgh in the county of Kings,' passed April 14th, 1827;" the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome;" and the bill entitled "An act to incorporate the Petersburgh, Grafton and Brunswick turnpike company."

*Ordered*, That the Clerk deliver the said bills to the Governor.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to submit to the people of this State a certain amendment to the Constitution."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative.

{ AYES 69 }  
{ NAYS 23 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Anthony	Mr. Harvey	Mr. Preston
Mr. Baker	Mr. Healy	Mr. Richmond
Mr. Beecher	Mr. Hicks	Mr. Ringgold
Mr. Benjamin	Mr. Hiller	Mr. Seger
Mr. Bennet	Mr. Hough	Mr. Shafer
Mr. Blatchly	Mr. Jones	Mr. Shepard
Mr. Brooks	Mr. Judd	Mr. D. Sibley
Mr. G. Brown	Mr. Krum	Mr. M. H. Sibley
Mr. Burhans	Mr. Livingston	Mr. Springer
Mr. Barnum	Mr. Lockwood	Mr. Stetson

Mr. Burr	Mr. Loomis	Mr. C. Strong
Mr. Cadwell	Mr. Lytle	Mr. E. Strong
Mr. Carpenter	Mr. Mallory	Mr. Suffern
Mr. A. Clark	Mr. Moore	Mr. Thora
Mr. Coe	Mr. Moseley	Mr. Tillaghast
Mr. Conklin	Mr. Niles	Mr. Tomlinson
Mr. Crary	Mr. Odell	Mr. Tyrrel
Mr. Crosby	Mr. W. S. Paddock	Mr. Van Bergen
Mr. Dayan	Mr. Parker	Mr. Wager
Mr. Denniston	Mr. Peck	Mr. Waldron
Mr. Finch	Mr. Pettit	Mr. Warren
Mr. Gray	Mr. Plumb	Mr. Williams
Mr. Griswold	Mr. Powers	Mr. W. Woodworth

Those who voted in the negative are

Mr. A. Brown	Mr. J. Haskell	Mr. Roosevelt
Mr. Cash	Mr. Hillyer	Mr. Simmons
Mr. C. Clark	Mr. Horton	Mr. Speaker
Mr. Clinch	Mr. T. Lewis	Mr. Wheeler
Mr. Crowell	Mr. M'Cluer	Mr. Wilkinson
Mr. Cuykendall	Mr. Ostrom	Mr. Woodbury
Mr. Davis	Mr. Patterson	Mr. Woodward
Mr. A. Hascall	Mr. Rice	

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to incorporate the Sailors' and Boatmen's friend society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Anthony	Mr. A. Hascall	Mr. Powers
Mr. Baker	Mr. J. Haskell	Mr. Preston
Mr. Beecher	Mr. Healy	Mr. Rice
Mr. Benjamin	Mr. Hicks	Mr. Roosevelt
Mr. Bennet	Mr. Hiller	Mr. Seger
Mr. Blatchly	Mr. Hillyer	Mr. Shafer
Mr. Brasher	Mr. Horton	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. A. Brown	Mr. Jones	Mr. M. H. Sibley
Mr. G. Brown	Mr. Judd	Mr. Simmons
Mr. Burhans	Mr. Krum	Mr. Speaker

Mr. Burke	Mr. J. W. Lewis	Mr. Springer
Mr. Barnum	Mr. T. Lewis	Mr. Stetson
Mr. Burr	Mr. Livingston	Mr. C. Strong
Mr. Cadwell	Mr. Lockwood	Mr. E. Strong
Mr. Carpenter	Mr. Loomis	Mr. Suffern
Mr. Cash	Mr. Lytle	Mr. Thorn
Mr. A. Clark	Mr. Mallory	Mr. Tillinghast
Mr. C. Clark	Mr. M'Cluer	Mr. Tomlinson
Mr. Coe	Mr. Moore	Mr. Tyrrel
Mr. Conklin	Mr. Moseley	Mr. Van Bergen
Mr. Crary	Mr. Niles	Mr. Wager
Mr. Crosby	Mr. Odell	Mr. Waldron
Mr. Crowell	Mr. Ostrom	Mr. Warren
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Wheeler
Mr. Davis	Mr. Parker	Mr. Wilkinson
Mr. Dayan	Mr. Patterson	Mr. Williams
Mr. Denniston	Mr. Peck	Mr. Woodbury
Mr. Farwell	Mr. Pettit	Mr. Woodward
Mr. Finch	Mr. Phillips	Mr. A. Woodworth
Mr. Gray	Mr. Philo	Mr. W. Woodworth
Mr. Harvey	Mr. Plumb	95

The engrossed bill entitled "An act to incorporate the village of Fulton," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Griswold	Mr. Plumb
Mr. Baker	Mr. Harvey	Mr. Powers
Mr. Beecher	Mr. A. Hascall	Mr. Preston
Mr. Benjamin	Mr. Healy	Mr. Rice
Mr. Bennet	Mr. Hicks	Mr. Ringgold
Mr. Blatchly	Mr. Hiller	Mr. Roosevelt
Mr. Brasher	Mr. Hillyer	Mr. Shafer
Mr. Brooks	Mr. Horton	Mr. Shepard
Mr. A. Brown	Mr. Hough	Mr. D. Sibley
Mr. G. Brown	Mr. Jones	Mr. M. H. Sibley
Mr. Burhans	Mr. Judd	Mr. Simmons
Mr. Burke	Mr. Krum	Mr. Speaker
Mr. Barnum	Mr. T. Lewis	Mr. Springer
Mr. Burr	Mr. Livingston	Mr. Stetson
Mr. Cadwell	Mr. Lockwood	Mr. C. Strong
Mr. Carpenter	Mr. Loomis	Mr. E. Strong
Mr. Cash	Mr. Lytle	Mr. Suffern

Mr. A. Clark	Mr. Mallory	Mr. Thorn
Mr. C. Clark	Mr. M'Cluer	Mr. Tillinghast
Mr. Clinch	Mr. Moore	Mr. Tomlinson
Mr. Coe	Mr. Moseley	Mr. Tyrrel
Mr. Conklin	Mr. Niles	Mr. Van Bergen
Mr. Crary	Mr. Odell	Mr. Wager
Mr. Crosby	Mr. Ostrom	Mr. Waldron
Mr. Crowell	Mr. W. S. Paddock	Mr. Warren
Mr. Cuykendall	Mr. Parker	Mr. Wheeler
Mr. Davis	Mr. Patterson	Mr. Wilkinson
Mr. Dayan	Mr. Peck	Mr. Williams
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Farwell	Mr. Phillips	Mr. Woodward
Mr. Finch	Mr. Philo	Mr. A. Woodworth
Mr. Gray		

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to incorporate the Hudson and Delaware rail-road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 87 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Gray	Mr. Powers
Mr. Baker	Mr. Griswold	Mr. Preston
Mr. Beecher	Mr. Harvey	Mr. Rice
Mr. Benjamin	Mr. A. Hascall	Mr. Ringgold
Mr. Bennet	Mr. Healy	Mr. Roosevelt
Mr. Blatchly	Mr. Hicks	Mr. Shafer
Mr. Brasher	Mr. Hiller	Mr. Shepard
Mr. Brooks	Mr. Horton	Mr. D. Sibley
Mr. A. Brown	Mr. Hough	Mr. M. H. Sibley
Mr. G. Brown	Mr. Jones	Mr. Simmons
Mr. Burhans	Mr. Judd	Mr. Speaker
Mr. Burke	Mr. Krum	Mr. Springer
Mr. Barnum	Mr. T. Lewis	Mr. Stetson
Mr. Burr	Mr. Livingston	Mr. C. Strong
Mr. Cadwell	Mr. Lockwood	Mr. E. Strong
Mr. Carpenter	Mr. Loomis	Mr. Suffern
Mr. Cash	Mr. Lytle	Mr. Thorn
Mr. A. Clark	Mr. Mallory	Mr. Tomlinson
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Van Bergen

Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Waldron
Mr. Crowell	Mr. Odell	Mr. Warren
Mr. Cuykendall	Mr. Parker	Mr. Wheeler
Mr. Davis	Mr. Patterson	Mr. Wilkinson
Mr. Dayan	Mr. Peck	Mr. Williams
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Farwell	Mr. Phillips	Mr. Woodward
Mr. Finch	Mr. Plumb	Mr. A. Woodworth 87

Those who voted in the negative are

Mr. Clinch	Mr. Ostrom	Mr. Tillinghast
Mr. J. Haskell-	Mr. W. S. Paddock	5

The engrossed bill from the Senate, entitled "An act to renew the act entitled 'An act to renew the act for the preservation of the public health.'" was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act for the relief of James Blatherwick," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill entitled "An act to incorporate the Montgomery mutual insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	90	}
{	NAYS	08	}

Those who voted in the affirmative are

Mr. Anthony	Mr. Finch	Mr. Phillips
Mr. Baker	Mr. Gray	Mr. Philo
Mr. Beecher	Mr. Griswold	Mr. Plumb
Mr. Benjamin	Mr. Harvey	Mr. Powers
Mr. Bennet	Mr. A. Hascall	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Seger
Mr. Brasher	Mr. Hicks	Mr. Shafer
Mr. Brooks	Mr. Hiller	Mr. Shepard
Mr. A. Brown	Mr. Hillyer	Mr. D. Sibley
Mr. G. Brown	Mr. Horton	Mr. M. H. Sibley
Mr. Burhans	Mr. Hough	Mr. Simmons
Mr. Burke	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson

Mr. Cadwell	Mr. T. Lewis	Mr. C. Strong
Mr. Carpenter	Mr. Livingston	Mr. E. Strong
Mr. Cash	Mr. Lockwood	Mr. Suffern
Mr. A. Clark	Mr. Loomis	Mr. Thorn
Mr. C. Clark	Mr. Lytle	Mr. Tillinghast
Mr. J. Clark	Mr. Mallory	Mr. Tomlinson
Mr. Coc	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Waldron
Mr. Crowell	Mr. Odell	Mr. Warren
Mr. Cuykendall	Mr. Ostrom	Mr. Wilkinson
Mr. Davis	Mr. W. S. Paddock	Mr. Williams
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Farwell	Mr. Pettit	Mr. A. Woodworth 90

Those who voted in the negative are

Mr. Clinch	Mr. Rice	Mr. Roosevelt	
Mr. J. Haskell	Mr. Ringgold	Mr. Wheeler	6

The engrossed bill entitled "An act to incorporate the Genesee mutual fire insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Finch	Mr. Phillips
Mr. Baker	Mr. Gray	Mr. Philo
Mr. Beecher	Mr. Griswold	Mr. Plumb
Mr. Benjamin	Mr. Harvey	Mr. Powers
Mr. Bennet	Mr. A. Hascall	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Richmond
Mr. Brasher	Mr. Hicks	Mr. Seger
Mr. Brooks	Mr. Hiller	Mr. Shafer
Mr. A. Brown	Mr. Hillyer	Mr. Shepard
Mr. G. Brown	Mr. Horton	Mr. D. Sibley
Mr. Burhans	Mr. Hough	Mr. M. H. Sibley
Mr. Burke	Mr. Jones	Mr. Simmons
Mr. Barnum	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. Krum	Mr. Springer
Mr. Cadwell	Mr. T. Lewis	Mr. Stetson
Mr. Carpenter	Mr. Livingston	Mr. E. Strong
Mr. Cash	Mr. Lockwood	Mr. Suffern



Mr. A. Clark	Mr. Loomis	Mr. Thorn
Mr. C. Clark	Mr. Lytle	Mr. Tillinghast
Mr. J. Clark	Mr. Mallory	Mr. Tomlinson
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Waldron
Mr. Crowell	Mr. Odell	Mr. Warren
Mr. Cuykendall	Mr. Ostrom	Mr. Wilkinson
Mr. Davis	Mr. W. S. Paddock	Mr. Williams
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Farwell	Mr. Pettit	Mr. A. Woodworth 90

Those who voted in the negative are

Mr. Clinch	Mr. Rice	Mr. Roosevelt
Mr. J. Haskell	Mr. Ringgold	Mr. Wheeler 6

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

*Ordered*, That the bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque," be re-committed to a select committee, consisting of Mr. M'Cluer, Mr. Woodward and Mr. Moseley, to report the same complete.

The engrossed bill entitled "An act to incorporate the Wayne county mutual insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Finch	Mr. Phillips
Mr. Baker	Mr. Fisher	Mr. Philo
Mr. Beecher	Mr. Gray	Mr. Plumb
Mr. Benjamin	Mr. Griswold	Mr. Powers
Mr. Bennet	Mr. Harvey	Mr. Preston
Mr. Blatchly	Mr. A. Hascall	Mr. Seger
Mr. Brasher	Mr. Healy	Mr. Shafer
Mr. Brooks	Mr. Hicks	Mr. Shepard
Mr. A. Brown	Mr. Hiller	Mr. D. Sibley
Mr. G. Brown	Mr. Hillyer	Mr. M. H. Sibley
Mr. Burhans	Mr. Horton	Mr. Simmons
Mr. Burke	Mr. Hough	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson

Mr. Cadwell	Mr. T. Lewis	Mr. E. Strong
Mr. Carpenter	Mr. Livingston	Mr. Suffern
Mr. Cash	Mr. Lockwood	Mr. Thorn
Mr. A. Clark	Mr. Loomis	Mr. Tillinghast
Mr. C. Clark	Mr. Lytle	Mr. Tomlinson
Mr. J. Clark	Mr. Mallory	Mr. Tyrrel
Mr. Coe	Mr. M'Cluer	Mr. Van Bergen
Mr. Conklin	Mr. Moore	Mr. Wager
Mr. Crary	Mr. Moseley	Mr. Waldron
Mr. Crosby	Mr. Niles	Mr. Warren
Mr. Crowell	Mr. Odell	Mr. Wilkinson
Mr. Cuykendall	Mr. Ostrom	Mr. Williams
Mr. Davis	Mr. W. S. Paddock	Mr. Woodbury
Mr. Dayan	Mr. Parker	Mr. Woodward
Mr. Denniston	Mr. Patterson	Mr. A. Woodworth
Mr. Farwell	Mr. Pettit	89

Those who voted in the negative are,

Mr. Clinch	Mr. Ringgold	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler
Mr. Rice		7

The engrossed bill entitled "An act to incorporate the Albany county mutual insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Philo
Mr. Baker	Mr. Gray	Mr. Plumb
Mr. Beecher	Mr. Griswold	Mr. Powers
Mr. Benjamin	Mr. Harvey	Mr. Preston
Mr. Bennet	Mr. A. Hascall	Mr. Seger
Mr. Blatchly	Mr. Healy	Mr. Shafer
Mr. Brasher	Mr. Hicks	Mr. Shepard
Mr. Brooks	Mr. Hilker	Mr. D. Sibley
Mr. A. Brown	Mr. Hillyer	Mr. M. H. Sibley
Mr. G. Brown	Mr. Horton	Mr. Simmons
Mr. Burhans	Mr. Hough	Mr. Speaker
Mr. Burke	Mr. Judd	Mr. Springer
Mr. Barnum	Mr. Krum	Mr. Stetson
Mr. Burr	Mr. T. Lewis	Mr. C. Strong
Mr. Cadwell	Mr. Livingston	Mr. E. Strong
Mr. Carpenter	Mr. Lockwood	Mr. Suffern

Mr. Cash	Mr. Loomis	Mr. Thorn
Mr. A. Clark	Mr. Lytle	Mr. Tillinghast
Mr. C. Clark	Mr. Mallory	Mr. Tomlinson
Mr. J. Clark	Mr. M'Cluer	Mr. Tyrrel
Mr. Coe	Mr. Moore	Mr. Van Bergen
Mr. Conklin	Mr. Moseley	Mr. Wager
Mr. Crary	Mr. Niles	Mr. Waldron
Mr. Crosby	Mr. Odell	Mr. Warren
Mr. Cuykendall	Mr. Ostrom	Mr. Wilkinson
Mr. Davis	Mr. W. S. Paddock	Mr. Williams
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Farwell	Mr. Pettit	Mr. A. Woodworth
Mr. Finch	Mr. Phillips	89

Those who voted in the negative are

Mr. Clinch	Mr. Ringgold	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler
Mr. Rice		7

The engrossed bill entitled "An act to incorporate the Ontario and Livingston mutual fire insurance company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Finch	Mr. Phillips
Mr. Baker	Mr. Fisher	Mr. Philo
Mr. Beecher	Mr. Gray	Mr. Plumb
Mr. Benjamin	Mr. Griswold	Mr. Powers
Mr. Bennet	Mr. Harvey	Mr. Preston
Mr. Blatchly	Mr. A. Hascall	Mr. Seger
Mr. Brasher	Mr. Healy	Mr. Shafer
Mr. Brooks	Mr. Hicks	Mr. Shepard
Mr. A. Brown	Mr. Hiller	Mr. D. Sibley
Mr. G. Brown	Mr. Hillyer	Mr. M. H. Sibley
Mr. Burhans	Mr. Horton	Mr. Simmons
Mr. Burke	Mr. Hough	Mr. Speaker
Mr. Barnum	Mr. Jones	Mr. Springer
Mr. Burr	Mr. Judd	Mr. Stetson
Mr. Cadwell	Mr. Krum	Mr. C. Strong
Mr. Carpenter	Mr. T. Lewis	Mr. E. Strong
Mr. Cash	Mr. Livingston	Mr. Suffern

Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. C. Clark	Mr. Lytle	Mr. Tillinghast
Mr. J. Clark	Mr. Mallory	Mr. Tomlinson
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Waldron
Mr. Crowell	Mr. Odell	Mr. Warren
Mr. Cuykendall	Mr. Ostrom	Mr. Wilkinson
Mr. Davis	Mr. W. S. Paddegg	Mr. Williams
Mr. Dayan	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Farwell	Mr. Pettit	Mr. A. Woodworth 90

Those who voted in the negative are

Mr. Clinch	Mr. Ringgold	Mr. Wetmore
Mr. J. Haskell	Mr. Roosevelt	Mr. Wheeler
Mr. Rice		

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The engrossed bill entitled "An act to incorporate the village of Jordan," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Powers
Mr. Baker	Mr. Gray	Mr. Preston
Mr. Beecher	Mr. Griswold	Mr. Rice
Mr. Benjamin	Mr. Harvey	Mr. Ringgold
Mr. Bennet	Mr. A. Hascall	Mr. Roosevelt
Mr. Blatchly	Mr. Healy	Mr. Seger
Mr. Brasher	Mr. Hicks	Mr. Shafer
Mr. Brooks	Mr. Hiller	Mr. Shepard
Mr. A. Brown	Mr. Hillyer	Mr. D. Sibley
Mr. G. Brown	Mr. Horton	Mr. M. H. Sibley
Mr. Burhans	Mr. Hough	Mr. Simmons
Mr. Burke	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. Cadwell	Mr. T. Lewis	Mr. C. Strong
Mr. Carpenter	Mr. Livingston	Mr. E. Strong
Mr. Cash	Mr. Lockwood	Mr. Suffern
Mr. A. Clark	Mr. Lytle	Mr. Thorn
Mr. C. Clark	Mr. Mallory	Mr. Tillinghast

Mr. J. Clark	Mr. M'Cluer	Mr. Tomlinson
Mr. Clinch	Mr. Moore	Mr. Tyrrel
Mr. Coe	Mr. Moseley	Mr. Van Bergen
Mr. Conklin	Mr. Niles	Mr. Wager
Mr. Crary	Mr. Odell	Mr. Waldron
Mr. Crosby	Mr. Ostrom	Mr. Warren
Mr. Crowell	Mr. W. S. Paddock	Mr. Wheeler
Mr. Cuykendall	Mr. Parker	Mr. Wilkinson
Mr. Davis	Mr. Patterson	Mr. Williams
Mr. Dayan	Mr. Pettit	Mr. Woodbury
Mr. Denniston	Mr. Phillips	Mr. Woodward
Mr. Farwell	Mr. Philo	Mr. A. Woodworth
Mr. Finch	Mr. Plumb	

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Those who voted in the negative are

Mr. Wetmore

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The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head turnpike company,' passed April 29th, 1833," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	90	}
{	NAYS	05	}

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Preston
Mr. Baker	Mr. Gray	Mr. Rice
Mr. Beecher	Mr. Griswold	Mr. Ringgold
Mr. Benjamin	Mr. Harvey	Mr. Roosevelt
Mr. Bennet	Mr. A. Hascall	Mr. Seger
Mr. Blatchly	Mr. Healy	Mr. Shafer
Mr. Brasher	Mr. Hicks	Mr. Shepard
Mr. A. Brown	Mr. Hiller	Mr. D. Sibley
Mr. G. Brown	Mr. Hillyer	Mr. M. H. Sibley
Mr. Burhans	Mr. Horton	Mr. Simmons
Mr. Burke	Mr. Hough	Mr. Speaker
Mr. Barnum	Mr. Jones	Mr. Springer
Mr. Burr	Mr. Judd	Mr. Stetson
Mr. Cadwell	Mr. Krum	Mr. C. Strong
Mr. Carpenter	Mr. T. Lewis	Mr. E. Strong
Mr. Cash	Mr. Livingston	Mr. Suffern
Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. C. Clark	Mr. Lytle	Mr. Tillinghast
Mr. J. Clark	Mr. M'Cluer	Mr. Tomlinson
Mr. Coe	Mr. Moore	Mr. Tyrrel

Mr. Conklin	Mr. Moseley	Mr. Van Bergen
Mr. Crary	Mr. Niles	Mr. Wager
Mr. Crosby	Mr. Odell	Mr. Waldron
Mr. Crowell	Mr. Parker	Mr. Warren
Mr. Cuykendall	Mr. Patterson	Mr. Wheeler
Mr. Davis	Mr. Pettit	Mr. Wilkinson
Mr. Dayan	Mr. Phillips	Mr. Williams
Mr. Denniston	Mr. Philo	Mr. Woodbury
Mr. Farwell	Mr. Plumb	Mr. Woodward
Mr. Finch	Mr. Powers	Mr. A. Woodworth 99

Those who voted in the negative are

Mr. Clinch	Mr. Ostrom	Mr. Wetmore
Mr. J. Haskell	Mr. W. S. Paddock	5

The engrossed bill entitled "An act to amend the several acts relative to the village of Syracuse," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 60 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Plumb
Mr. Baker	Mr. Gray	Mr. Powers
Mr. Beecher	Mr. Griswold	Mr. Preston
Mr. Benjamin	Mr. Harvey	Mr. Rice
	Mr. A. Hascall	Mr. Ringgold
	Mr. J. Haskell	Mr. Roosevelt
	Mr. Healy	Mr. Seger
	Mr. Hicks	Mr. Shafer
n	Mr. Hiller	Mr. Shepard
n	Mr. Hillyer	Mr. D. Sibley
	Mr. Horton	Mr. M. H. Sibley
Mr. Burke	Mr. Hough	Mr. Simmons
Mr. Barnum	Mr. Jones	Mr. Speaker
Mr. Burr	Mr. Judd	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. T. Lewis	Mr. C. Strong
Mr. Cash	Mr. Livingston	Mr. E. Strong
Mr. A. Clark	Mr. Lockwood	Mr. Suffern
Mr. C. Clark	Mr. Lytle	Mr. Thorn
Mr. J. Clark	Mr. Mallory	Mr. Tillinghast
Mr. Clinch	Mr. M'Cluer	Mr. Tomlinson
Mr. Coe	Mr. Moore	Mr. Tyrrel
Mr. Conklin	Mr. Moseley	Mr. Van Bergen

Mr. Crary	Mr. Niles	Mr. Wager
Mr. Crosby	Mr. Odell	Mr. Waldron
Mr. Crowell	Mr. Ostrom	Mr. Warren
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Wheeler
Mr. Davis	Mr. Parker	Mr. Wilkinson
Mr. Dayan	Mr. Patterson	Mr. Williams
Mr. Denniston	Mr. Pettit	Mr. Woodbury
Mr. Farwell	Mr. Phillips	Mr. Woodward
Mr. Finch	Mr. Philo	

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to alter the charter of the village of Rome," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES	95 }
{ NAYS	00 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Powers
Mr. Baker	Mr. Gray	Mr. Preston
Mr. Beecher	Mr. Griswold	Mr. Rice
Mr. Benjamin	Mr. Harvey	Mr. Ringgold
Mr. Bennett	Mr. A. Hascall	Mr. Roosevelt
Mr. Blatchly	Mr. J. Haskell	Mr. Seger
Mr. Brasher	Mr. Healy	Mr. Shafer
Mr. Brooks	Mr. Hicks	Mr. Shepard
Mr. A. Brown	Mr. Hiller	Mr. D. Sibley
Mr. G. Brown	Mr. Horton	Mr. M. H. Sibley
Mr. Burhans	Mr. Hough	Mr. Simmons
Mr. Burke	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. Cadwell	Mr. T. Lewis	Mr. C. Strong
Mr. Carpenter	Mr. Livingston	Mr. E. Strong
Mr. Cash	Mr. Lockwood	Mr. Suffern
Mr. A. Clark	Mr. Lytle	Mr. Thorn
Mr. C. Clark	Mr. Mallory	Mr. Tillinghast
Mr. J. Clark	Mr. M'Cluer	Mr. Tomlinson
Mr. Clinch	Mr. Moore	Mr. Tyrrel
Mr. Coe	Mr. Moseley	Mr. Van Bergen
Mr. Conklin	Mr. Niles	Mr. Wager
Mr. Crary	Mr. Odell	Mr. Waldron
Mr. Crosby	Mr. Ostrom	Mr. Warren
Mr. Crowell	Mr. W. S. Paddock	Mr. Wheeler
Mr. Cuykendall	Mr. Parker	Mr. Wilkinson

Mr. Davis  
Mr. Dayan  
Mr. Denniston  
Mr. Farwell  
Mr. Finch

Mr. Patterson  
Mr. Pettit  
Mr. Phillips  
Mr. Philo  
Mr. Plumb

Mr. Williams  
Mr. Woodbury  
Mr. Woodward  
Mr. A. Woodworth

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The engrossed bill from the Senate, entitled "An act for the erection of State prison buildings for female convicts," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill from the Senate, entitled "An act authorising Jonathan Thompson and George W. Thompson to erect and maintain docks in the city of Brooklyn," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

On motion of Mr. Gray,

*Resolved,* That the Comptroller be requested to report to this House, how long the interest on the money loaned, and proposed to be loaned, for the construction of the Chenango canal, can be paid from the premiums on such loans; and also whether there is any legal provision to pay the interest on the stock issued, after such premiums are exhausted.

*Ordered,* That the act to amend the act entitled "An act to incorporate the Washington county insurance company," be referred to a select committee, consisting of Mr. Moore, Mr. M'Kie and Mr. Horton, to report the same complete.

*Ordered,* That the committee of the whole be discharged from the further consideration of the bill entitled "An act to extend the act in relation to the State hall, passed April 1st, 1834;" and that the same be referred to a select committee, consisting of Mr. Lockwood, Mr. A. Hascall and Mr. Clinch, to report complete.

Mr. D. Sibley offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved,* That the House do now lay all other business on the table, for the purpose of acting on the bill reported by the select committee on State prisons.

*Ordered,* That the said resolution be laid upon the table.

On motion of Mr. Shepard,

*Resolved,* That Enoch Burrows have leave to withdraw the documents and papers accompanying his petition for relief.

In pursuance of previous notice, Mr. Griswold asked for and obtained leave to bring in a bill, entitled "An act to incorporate the Nassau academy;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Griswold, Mr. Springer and Mr. Beecher, to report complete.

Mr. Suffern offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved,* That the committee of the whole be discharged from



the consideration of the bill entitled "An act to incorporate a fire company in the town of Haverstraw in the county of Rockland," and that the said bill be ordered to be engrossed.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York;" and that the same be referred to a select committee, consisting of Mr. Hicks, Mr. Rice and Mr. Denniston, to report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb;" and that the same be referred to a select committee, consisting of Mr. T. Lewis, Mr. Parker and Mr. Gray, to report complete.

Mr. Burhans offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur.) That a committee of three be appointed, to consist of one member of the Senate and two members of the Assembly, to examine the accounts and vouchers of the Treasurer, pursuant to the provision of title four of chapter eight of the first part of the Revised Statutes.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the survey of canal routes from the Sacandaga river to the Erie and Champlain canals;" and that the same be referred to a select committee, consisting of Mr. Odell, Mr. Dayan and Mr. A. Hascall, to report complete.

And then the House adjourned until ten o'clock on Monday morning next.

## MONDAY, APRIL 20, 1835.

The House met pursuant to adjournment.

The petition of Jane Barlow of the county of Essex, praying for a divorce, was read, and referred to the committee on the judiciary.

The petition of the Wallabout and Brooklyn Toll-Bridge Company, praying for the passage of a law authorising them to sell their bridge and road to the city of Brooklyn, was read, and referred to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies.

The petition of sundry inhabitants of the western and middle part of the State, praying for the removal of the Central Asylum

for the instruction of the deaf and dumb, to some place in the western part of the State, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. King, from the committee on public lands, to which was referred the resolution of this House of the seventh of February last, relative to the payment of purchase money for lands hereafter sold by the Surveyor-General, reported a bill, entitled "An act in relation to the sales of lands by the surveyor-general and the attorney-general;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of James Slocum, praying for the passage of an act authorising him to establish a ferry between the city of Buffalo and Fort Erie in Upper Canada, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for a repeal of the act authorising Elijah Leech and others to erect a toll-bridge across Buffalo creek, passed March 15th, 1822, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act for the building of a bridge across the Genesee river in the county of Monroe," reported, that no notices of the application having been published, the committee are of the opinion that the said bill ought not to be passed into a law.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which were referred the petitions of sundry inhabitants of the counties of Seneca and Cayuga, in relation to the free bridge across the Seneca river, reported; concluding, that in the opinion of the committee, the prayer of the petition ought to be denied.

[See Document No. 383.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. King, from the committee on public lands, to which was referred the engrossed bill from the Senate, entitled "An act respecting Aries and First-streets in the village of Oswego," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Ringgold, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Watertown,' passed April 26th, 1831," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act authorising the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. King, from the committee on public lands, to which was referred the bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin," reported, that the committee have examined the said bill, and are of the opinion that the same ought to be passed into a law, and recommend that it be ordered to be engrossed.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Buffalo, praying for authority to construct a bridge across Buffalo creek on the Indian reservation, and also across the Skajaqueda creek on the road to Batavia, reported a bill, entitled "An act authorising the supervisors of the county of Erie to raise money to build certain bridges;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Moseley made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Moseley, and it was unanimously determined in the affirmative.

Mr. Wilkinson, from the committee on the incorporation and alteration of the charters of banking and insurance companies, reported the following resolution:

*Resolved*, That the standing committee on the incorporation and alteration of the charters of banking and insurance companies, be discharged from the further consideration of the several petitions for the incorporation of banks, and the increase of the capital stock of certain banks, which were referred to the said committee; and that the petitioners have leave to withdraw said petitions.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the petition of the trustees of Union Society, and the wardens and vestry of St. Luke's church in the county of Westchester, praying for authority to sell certain joint property, reported a bill, entitled "An act relative to the trustees of Union society of the town of Somers, Westchester county, and the wardens and vestry of St. John's church of said county;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Crosby, Mr. P. W. Paddock and Mr. Lockwood, to report complete.

The House then proceeded to the consideration of the report of the committee on the incorporation and alteration of the charters of banking and insurance companies, to which were severally referred the resolution of the Assembly of the thirteenth of January, instructing the said committee to inquire into the expediency of requiring all banks in this State, subject to the Safety fund law, to keep their bills at par in the city of New-York; and also the resolution of the Assembly of the tenth of January, directing the committee to inquire into the expediency of providing by law for the collection of highway taxes from banking companies; the said report concluding, that the committee were not prepared to recommend any legislation upon the specific matters referred to them in the respective resolutions, and asked to be discharged from their further consideration.

Thereupon,

Mr. Hough offered for the consideration of the House, a resolution, which, being amended, was read, in the words following, to wit:

*Resolved*, That the report of the committee on the incorporation and alteration of the charters of banking and insurance companies, upon the resolution of the tenth of January last, directing said committee to inquire into the expediency of providing by law for the collection of highway taxes from banking companies, be refer-

red to a select committee, together with the petitions upon that subject, with instructions to report a bill for the assessment and collection of taxes for the improvement of highways, from monied and manufacturing incorporations, either upon the capital stock, or upon individual stockholders to the amount of their stock, or both, as in the opinion of said committee shall be most expedient.

Debates were had thereon; and while the same was under consideration, Mr. Patterson made a motion that the House should agree to amend the said resolution, by inserting after the word "the," where it occurs before the word "report" in the first line of the said resolution, the words "House disagree with the."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Patterson, and it was determined in the negative.

{ NAYS 59 }  
{ AYES 20 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Eldred	Mr. Powers
Mr. Anthony	Mr. Finch	Mr. Ringgold
Mr. Beecher	Mr. Gray	Mr. Seger
Mr. Benjamin	Mr. Harvey	Mr. Shafer
Mr. Bennet	Mr. A. Hascall	Mr. Shepard
Mr. Burhans	Mr. Hicks	Mr. Speaker
Mr. Barnum	Mr. Hiller	Mr. Springer
Mr. Cadwell	Mr. Horton	Mr. Stetson
Mr. Carpenter	Mr. Hough	Mr. Suffern
Mr. Cash	Mr. Jackson	Mr. Tillinghast
Mr. A. Clark	Mr. Judd	Mr. Tomlinson
Mr. J. Clark	Mr. King	Mr. Wager
Mr. Clinch	Mr. Livingston	Mr. Warren
Mr. Coe	Mr. Lytle	Mr. Wheeler
Mr. Conklin	Mr. Mallory	Mr. Wilcoxson
Mr. Crary	Mr. Moore	Mr. Wilkinson
Mr. Crosby	Mr. Odell	Mr. Williams
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Woodbury
Mr. Davis	Mr. W. S. Paddock	Mr. Wylie
Mr. Denniston	Mr. Phillips	

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Those who voted in the affirmative are

Mr. Brooks	Mr. T. Lewis	Mr. D. Sibley
Mr. A. Brown	Mr. M'Cluer	Mr. M. H. Sibley
Mr. G. Brown	Mr. M'Kie	Mr. C. Strong
Mr. Burke	Mr. Moseley	Mr. E. Strong
Mr. Burr	Mr. Niles	Mr. Tyrrel
Mr. C. Clark	Mr. Ostrom	Mr. Van Bergen

Mr. Farwell  
Mr. J. Haskell  
Mr. Healy  
Mr. Krum

Mr. Patterson  
Mr. Plumb  
Mr. Richmond  
Mr. Roosevelt

Mr. Waldron  
Mr. Woodward  
Mr. W. Woodworth  
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Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

{ AYES 91 }  
{ NAYS 00 }

The ayes and noes being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Richmond
Mr. Anthony	Mr. J. Haskell	Mr. Ringgold
Mr. Baker	Mr. Healy	Mr. Roosevelt
Mr. Beecher	Mr. Hicks	Mr. Seger
Mr. Benjamin	Mr. Hiller	Mr. Shafer
Mr. Bennet	Mr. Horton	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. A. Brown	Mr. Jackson	Mr. M. H. Sibley
Mr. G. Brown	Mr. Judd	Mr. Speaker
Mr. Burhans	Mr. King	Mr. Springer
Mr. Burke	Mr. Krum	Mr. Stetson
Mr. Barnum	Mr. T. Lewis	Mr. C. Strong
Mr. Burr	Mr. Livingston	Mr. E. Strong
Mr. Cadwell	Mr. Lockwood	Mr. Suffern
Mr. Carpenter	Mr. Lytle	Mr. Tillinghast
Mr. Cash	Mr. Mallory	Mr. Tomlinson
Mr. A. Clark	Mr. M'Cluer	Mr. Tyrrel
Mr. C. Clark	Mr. M'Kie	Mr. Van Bergen
Mr. J. Clark	Mr. Moore	Mr. Wager
Mr. Clinch	Mr. Moseley	Mr. Waldron
Mr. Coe	Mr. Niles	Mr. Warren
Mr. Conklin	Mr. Odell	Mr. Wheeler
Mr. Crary	Mr. Ostrom	Mr. Wilcoxson
Mr. Crosby	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Cuykendall	Mr. W. S. Paddock	Mr. Williams
Mr. Davis	Mr. Patterson	Mr. Woodbury
Mr. Denniston	Mr. Phillips	Mr. Woodward
Mr. Eldred	Mr. Philo	Mr. A. Woodworth
Mr. Farwell	Mr. Plumb	Mr. W. Woodworth
Mr. Finch	Mr. Powers	Mr. Wylie
Mr. Gray		

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*Ordered*, That Mr. Hough, Mr. M. H. Sibley, Mr. Stetson, Mr. King and Mr. Williams, be the said committee.

Thereupon,

Mr. Wilkinson offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the House do agree with the report of the committee upon the resolution of this House of the thirteenth of January, instructing the said committee to inquire into the expediency of requiring all banks in this State, subject to the Safety fund law, to keep their bills at par in the city of New-York.

*Ordered*, That the said resolution be laid upon the table.

A communication from John M'Lean, a Regent of the University, was received and read, in the words following, to wit:

*Battenville, Washington Co. N. Y. April 17, 1835.*

To the Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

Having been informed of the resolutions of the Senate and Assembly, conferring upon me the office of Regent of the University of this State, I beg you to communicate to the House over which you preside, my acceptance of that office, and my respectful acknowledgments of that mark of their regard and confidence.

I have the honor to be,

Your obedient servant,

JOHN M'LEAN.

*Ordered*, That the said communication be laid upon the table.

And then the House adjourned until four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relating to the support of paupers in the counties of St. Lawrence, Clinton and Franklin;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Phillips, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to define the powers and regulate the proceedings of rail-road corporations," and the several bills for the incorporation of rail-road companies; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

The question on granting leave being divided,

Mr. Speaker put the question whether the House would agree to

grant the committee leave to sit again upon the bill to define the powers and regulate the proceedings of rail-road corporations, and it was determined in the negative.

Mr. Speaker put the question whether the House would agree to grant the committee leave to sit again upon the several bills for the incorporation of rail-road companies, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes, passed April 2d, 1829;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorise the establishment of the New-York State lunatic asylum;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wager, from the said committee, reported progress, and asked for and obtained leave to sit again.

*Ordered*, That Mr. Baker have leave of absence for two weeks; and Mr. Groom, Mr. Murphy and Mr. Kent, for four days each.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend the several acts relating to the city of Albany, and to combine the same into one act,' passed April 2d, 1827,' and for other purposes."

Also the bill entitled "An act to extend the time for completing the New-York and Harlem rail-road, and for other purposes."

Also the bill entitled "An act to amend the act entitled 'An act to incorporate and vest certain powers in the freeholders and inhabitants of the village of Williamsburgh in the county of Kings,' passed April 14th, 1827."

the bill entitled "An act to raise money in the county of e, to build and repair certain bridges in the town of China."

the bill entitled "An act to change the time of holding the f common pleas and general sessions in the county of Scho-

Also the bill entitled "An act to amend an act entitled 'An act authorising the board of supervisors of the county of St. Lawrence to lay a tax on the town of Oswegatchie, to be invested in an academy and lot, and for other purposes,' passed April 26th, 1833."

Also the bill entitled "An act altering the name of Posteritas Pope Benton."

Also the bill entitled "An act confirming the official acts of Abram Hawn, a justice of the peace."



Also the bill entitled "An act to confirm the official acts of Russel Whiting, as first secretary of the Genesee manual labor seminary."

Also the bill entitled "An act to amend the several laws relating to taxes upon dogs."

Also the bill entitled "An act incorporating the Chenango canal bridge company in the county of Broome."

Also the bill entitled "An act authorising James L. Voorhees and Asher Tappan to erect a toll-bridge across the Seneca river."

Also the bill entitled "An act further to amend an act entitled 'An act to incorporate the city of Buffalo.'"

Also the bill entitled "An act to incorporate the Petersburg, Grafton and Brunswick turnpike company."

Also the bill entitled "An act to provide for repairing the clerk's office in the county of Warren."

Also the bill entitled "An act to prohibit the sale of ardent spirits to the St. Regis Indians."

Also the bill entitled "An act to authorise William H. Spencer to construct a dam across the Genesee river."

W. L. MARCY.

*Albany, April 20, 1835.*

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Legislature will, on Wednesday next at 12 o'clock at noon, proceed to the choice of a Regent of the University, in the place of the honorable John Sudam, deceased.

*Ordered*, That the said resolution be laid upon the table.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved by the Senate and Assembly of the State of New-York*, That each of the incorporated banks in this State do report to the Legislature, by the 15th day of January next, a statement of the total amount of its bills put in circulation as money, and outstanding on the 1st day of January next, and of each denomination thereof.

Thereupon,

*Resolved*, That this House do concur with the Senate in their said resolution.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

And then the House adjourned until ten o'clock to-morrow morning.

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**TUESDAY, APRIL 21, 1835.**

**The House met pursuant to adjournment.**

The petition of sundry inhabitants of the counties of Columbia and Rensselaer, praying for the incorporation of a company to construct a rail-road from Stuyvesant's landing to Kinderhook, was read, and referred to the committee on rail-roads.

The affidavit of Charles Fuller of the county of Oneida, relative to the claim of Simon Matterson, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Phillips, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of the Wallabout and Brooklyn Toll-Bridge Company, praying for the passage of an act authorising them to sell their road and bridge to the corporation of Brooklyn, reported a bill, entitled "An act in relation to the Wallabout and Brooklyn toll-bridge company;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Phillips made a motion that the House should agree to order the said bill to be engrossed.

Mr. Spenker put the question whether the House would agree to the said motion of Mr. Phillips, and it was unanimously determined in the affirmative.

Mr. Jackson, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act to amend the act to incorporate the city of Brooklyn," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. C. Strong, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Erie, praying for the passage of an act authorising the supervisors of said county to raise money by tax, for improving the Cayuga creek road in said county, reported a bill, entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving a road passing through said towns;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Plumb, Mr. Moseley and Mr. M'Neil, to report complete.

Mr. Hicks, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Nichols and Tioga bridge

company in the county of Tioga," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Denniston, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Moore, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the Washington county mutual insurance company,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. D. Sibley, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act in relation to the assessment of highway labor," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Livingston, from the committee on the judiciary, by the unanimous consent of the House, reported a bill, entitled "An act extending the powers of judges of county courts, and confirming the validity of certain judgments in such courts;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be laid upon the table.

Mr. Livingston, from the committee on the judiciary, by the unanimous consent of the House, reported a bill, entitled "An act amending the Revised Statutes, and in addition thereto;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Van Bergen, from the select committee to which was referred the bill entitled "An act to authorise the building of two bridges over the Cadarskill in the town of Catskill in the county of Greene," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. Wager, from the select committee to which was referred the petition of Evan M. Johnson, Henry Patchin and George M. Patchin, praying for the passage of a law authorising the collection of the taxes due and unpaid, and which were assessed and levied in the eastern district of Brooklyn in the year 1833, reported a bill, entitled "An act authorising the collection of taxes in the town of Brooklyn;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Odell, from the select committee to which was referred the bill entitled "An act authorising the survey of canal routes from the Sacandaga branch of the Hudson river in Northampton, Montgomery county, to the Erie and Champlain canals," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. M'Cluer, from the select committee to which was referred the bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. Springer, from the select committee to which was referred the bill entitled "An act to incorporate the Nassau academy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. Lockwood, from the select committee to which was referred the bill entitled "An act to extend the act in relation to the State hall, passed April 1st, 1834," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. Roosevelt, from the select committee to which was referred the bill entitled "An act to authorise the appointment of a public administrator in the city of Brooklyn," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered.* That the said bill be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise the supervisors of the county of Erie to raise money by tax, to build certain bridges;" the engrossed bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin;" and the engrossed bill entitled "An act relating to the support of paupers in the counties of St. Lawrence, Clinton and Franklin;" and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

A communication from the Comptroller, was received and read, in the words following, to wit:

COMPTROLLER'S OFFICE, }  
Albany, April 21, 1835. }

TO THE SPEAKER OF THE ASSEMBLY.

SIR,

I herewith transmit a statement of the sales of lands for taxes and quit rents, in obedience to a resolution of the Assembly.

It is respectfully suggested, that in addition to the usual number of copies for the Legislature, one hundred copies be printed for the use of the Comptroller's office, two copies for each county treasurer, and one copy for each town and ward in the State.

Respectfully, your obedient servant,

A. C. FLAGG.

[See Document No. 380.]

*Ordered,* That the usual number of copies of the said report be printed for the use of the Legislature; and in addition thereto, one hundred copies for the use of the Comptroller's office, two copies for each county treasurer, and one copy for each town and ward in the State.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the act entitled 'An act to incorporate the East creek turnpike company,'" with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Spenger put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Anthony

Mr. Gray  
Mr. Griswold

Mr. Phillips  
Mr. Philo

Mr. Beecher	Mr. A. Hascall	Mr. Plumb
Mr. Benjamin	Mr. Hendue	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Rice
Mr. Brooks	Mr. Hiller	Mr. Richmond
Mr. A. Brown	Mr. Hillyer	Mr. Ringgold
Mr. G. Brown	Mr. Horton	Mr. Shafer
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Lockwood	Mr. E. Strong
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crain	Mr. M'Kie	Mr. Wager
Mr. Crary	Mr. M'Neil	Mr. Waldron
Mr. Crosby	Mr. Moore	Mr. Wheeler
Mr. Crowell	Mr. Moseley	Mr. Wilcoxson
Mr. Cuykendall	Mr. Niles	Mr. Wilkinson
Mr. Davis	Mr. Odell	Mr. Williams
Mr. Dayan	Mr. Ostrom	Mr. Woodbury
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodward
Mr. Eldred	Mr. Patterson	Mr. A. Woodworth
Mr. Farwell	Mr. Peck	Mr. W. Woodworth
Mr. Finch	Mr. Pettit	Mr. Wylie
Mr. Fisher		

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Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	3
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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Canastota," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Phillips
Mr. Anthony	Mr. Griswold	Mr. Philo
Mr. Beecher	Mr. A. Hascall	Mr. Plumb
Mr. Benjamin	Mr. J. Haskell	Mr. Powers
Mr. Bennet	Mr. Hendee	Mr. Preston
Mr. Blatchly	Mr. Herttell	Mr. Rice
Mr. Brooks	Mr. Hicks	Mr. Ringgold
Mr. A. Brown	Mr. Hildreth	Mr. Roosevelt
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shafer
Mr. Burke	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. Livingston	Mr. Suffern
Mr. Clinch	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Crain	Mr. M'Cluer	Mr. Van Bergen
Mr. Crary	Mr. M'Kie	Mr. Wager
Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Cuykendall	Mr. Moseley	Mr. Wilcoxson
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. Ostrom	Mr. Woodbury
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodward
Mr. Farwell	Mr. Patterson	Mr. A. Woodworth
Mr. Finch	Mr. Peck	Mr. W. Woodworth
Mr. Fisher	Mr. Pettit	Mr. Wylie

102

Those who voted in the negative are,

Mr. Wetmore

1

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Delaware literary institute," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it

was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. J. Haskell	Mr. Plumb
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Rice
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. A. Brown	Mr. Hillyer	Mr. Seger
Mr. G. Brown	Mr. Horton	Mr. Shafer
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Crain	Mr. M'Cluer	Mr. Van Bergen
Mr. Crary	Mr. M'Kie	Mr. Wager
Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Cuykendall	Mr. Moseley	Mr. Wilcoxson
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. Ostrom	Mr. Woodbury
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodward
Mr. Farwell	Mr. Patterson	Mr. A. Woodworth
Mr. Finch	Mr. Peck	Mr. W. Woodworth
Mr. Fisher	Mr. Pettit	Mr. Wylie
Mr. Gray		

100

Those who voted in the negative are

Mr. Clinch

Mr. Wetmore

2

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.



Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery in the county of Orange,' passed April 11th, 1817;" the bill entitled "An act authorising Isaac Peck and Elijah Peck to erect a dock in the town of Flushing in the county of Queens," and the bill entitled "An act relative to the court of general sessions of the county of Chautauque," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act for the relief of Montgomery academy," and the bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn lyceum;'" a bill entitled "An act to amend an act entitled 'An act to incorporate the Lansingburgh dry dock and hydraulic company,' passed April 15th, 1826;" and a bill entitled "An act to improve the navigation of the Albany basin."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn lyceum,'" was referred to the committee on colleges, academies and common schools; the bill entitled "An act to amend an act entitled 'An act to incorporate the Lansingburgh dry dock and hydraulic company,' passed April 15th, 1826," was referred to a select committee, consisting of Mr. Griswold, Mr. Springer and Mr. Livingston, to report complete; and the bill entitled "An act to improve the navigation of the Albany basin," was referred to a select committee, consisting of Mr. Livingston, Mr. Waldron and Mr. Seger, to consider and report thereon.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act authorising the trustees of school district number ten in the city of Rochester, to sell a part of their school-house lot;" and the bill entitled "An act in relation to school district thirteen in the town of Newburgh and county of Orange," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate returned the bill entitled "An act to submit to the people of this State a certain amendment of the Constitution," and the bill entitled "An act to incorporate the Kingston turnpike and rail-road company."

*Ordered,* That the Clerk deliver the said bills to the Governor.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act in relation to the parties to bills of exchange and promissory notes."

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend an act to incorporate the village of Little-Falls in the county of Herkimer, passed April 14th, 1827," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Phillips
Mr. Anthony	Mr. Griswold	Mr. Philo
Mr. Beecher	Mr. A. Hascall	Mr. Plumb
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hendee	Mr. Preston
Mr. Blatchly	Mr. Herttell	Mr. Ringgold
Mr. Brooks	Mr. Hicks	Mr. Seger
Mr. A. Brown	Mr. Hildreth	Mr. Shafer
Mr. G. Brown	Mr. Hiller	Mr. Shepard
Mr. Burhans	Mr. Hillyer	Mr. D. Sibley
Mr. Burke	Mr. Horton	Mr. M. H. Sibley
Mr. Barnum	Mr. Hough	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Cash	Mr. Krum	Mr. E. Strong
Mr. A. Clark	Mr. J. W. Lewis	Mr. Suffern
Mr. C. Clark	Mr. T. Lewis	Mr. Tillinghast
Mr. J. Clark	Mr. Livingston	Mr. Tomlinson
Mr. Clinch	Mr. Lockwood	Mr. Tyrrel
Mr. Coe	Mr. Lytle	Mr. Van Bergen
Mr. Conklin	Mr. Mallory	Mr. Wager
Mr. Crain	Mr. M'Cluer	Mr. Waldron
Mr. Crary	Mr. M'Kie	Mr. Wheeler
Mr. Crosby	Mr. M'Neil	Mr. Wilcoxson
Mr. Crowell	Mr. Moore	Mr. Wilkinson
Mr. Cuykendall	Mr. Moseley	Mr. Williams
Mr. Davis	Mr. Niles	Mr. Woodbury
Mr. Dayan	Mr. Odell	Mr. Woodward
Mr. Denniston	Mr. Ostrom	Mr. A. Woodworth
Mr. Eldred	Mr. Patterson	Mr. W. Woodworth
Mr. Finch	Mr. Peck	Mr. Wylie
Mr. Fisher	Mr. Pettit	

98

Those who voted in the negative are

Mr. J. Haskell

1

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes,)" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Plumb
Mr. Anthony	Mr. A. Hascall	Mr. Powers
Mr. Beecher	Mr. J. Haskell	Mr. Preston
Mr. Benjamin	Mr. Healy	Mr. Ringgold
Mr. Bennet	Mr. Hendee	Mr. Roosevelt
Mr. Blatchly	Mr. Hicks	Mr. Seger
Mr. Brooks	Mr. Hildreth	Mr. Shafer
Mr. A. Brown	Mr. Hiller	Mr. Shepard
Mr. G. Brown	Mr. Horton	Mr. D. Sibley
Mr. Burhans	Mr. Hough	Mr. M. H. Sibley
Mr. Burke	Mr. Jackson	Mr. Simmons
Mr. Barnum	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. King	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. E. Strong
Mr. Cash	Mr. T. Lewis	Mr. Suffern
Mr. A. Clark	Mr. Livingston	Mr. Tillinghast
Mr. C. Clark	Mr. Lockwood	Mr. Tomlinson
Mr. J. Clark	Mr. Lytle	Mr. Tyrrel
Mr. Conklin	Mr. Mallory	Mr. Van Bergen
Mr. Crain	Mr. M'Cluer	Mr. Wager
Mr. Crary	Mr. M'Kie	Mr. Waldron
Mr. Crosby	Mr. M'Neil	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Davis	Mr. Niles	Mr. Williams
Mr. Dayan	Mr. Odell	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Eldred	Mr. Peck	Mr. A. Woodworth
Mr. Finch	Mr. Pettit	Mr. W. Woodworth
Mr. Fisher	Mr. Phillips	Mr. Wylie
Mr. Gray	Mr. Philo	

Those who voted in the negative are

Mr. Clinch

Mr. Herttell

2

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to amend an act entitled 'An act to consolidate and amend the charter of the village of Watertown,' passed April 26th, 1831," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 101 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Philo
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Beecher	Mr. J. Haskell	Mr. Powers
Mr. Bennet	Mr. Healy	Mr. Preston
Mr. Blatchly	Mr. Hendee	Mr. Rice
Mr. Brooks	Mr. Herttell	Mr. Ringgold
Mr. A. Brown	Mr. Hicks	Mr. Roosevelt
Mr. G. Brown	Mr. Hildreth	Mr. Seger
Mr. Burhans	Mr. Hiller	Mr. Shafer
Mr. Burke	Mr. Hillyer	Mr. Shepard
Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Burr	Mr. Hough	Mr. M. H. Sibley
Mr. Cadwell	Mr. Jackson	Mr. Simmons
Mr. Carpenter	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. C. Clark	Mr. J. W. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. Suffern
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tomlinson
Mr. Conklin	Mr. Lytle	Mr. Tyrrel
Mr. Crain	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Cluer	Mr. Wager
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Crowell	Mr. M'Neil	Mr. Wheeler
Mr. Cuykendall	Mr. Moore	Mr. Wilcoxson
Mr. Davis	Mr. Moseley	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Denniston	Mr. Odell	Mr. Woodbury
Mr. Eldred	Mr. P. W. Paddock	Mr. Woodward
Mr. Farwell	Mr. Patterson	Mr. A. Woodworth
Mr. Finch	Mr. Peck	Mr. W. Woodworth
Mr. Fisher	Mr. Pettit	Mr. Wylie
Mr. Gray	Mr. Phillips	

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the Schuyler-ville bridge company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 08 }

Those who voted in the affirmative are

Mr. Adams	Mr. Healy	Mr. Phillips
Mr. Beecher	Mr. Hendee	Mr. Philo
Mr. Benjamin	Mr. Hicks	Mr. Plumb
Mr. Bennet	Mr. Hildreth	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Burke	Mr. Jackson	Mr. Shafer
Mr. Barnum	Mr. Judd	Mr. Shepard
Mr. Burr	Mr. King	Mr. M. H. Sibley
Mr. Cadwell	Mr. Krum	Mr. Simmons
Mr. Carpenter	Mr. J. W. Lewis	Mr. Speaker
Mr. Cash	Mr. T. Lewis	Mr. Springer
Mr. A. Clark	Mr. Livingston	Mr. Stetson
Mr. C. Clark	Mr. Lockwood	Mr. Stevens
Mr. J. Clark	Mr. Loomis	Mr. C. Strong
Mr. Coe	Mr. Lytle	Mr. Tillinghast
Mr. Conklin	Mr. Mallory	Mr. Tomlinson
Mr. Crain	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. M'Kie	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Waldron
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Niles	Mr. Wilcoxson
Mr. Farwell	Mr. Odell	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. Patterson	Mr. Woodward
Mr. Griswold	Mr. Peck	Mr. W. Woodworth
Mr. Harvey	Mr. Pettit	Mr. Wylie
Mr. A. Hascall		

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Those who voted in the negative are

Mr. Clinch	Mr. Herttell	Mr. E. Strong
Mr. Eldred	Mr. Roosevelt	Mr. Suffern
Mr. J. Haskell	Mr. D. Sibley	

8

The engrossed bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and other purposes," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Philo
Mr. Anthony	Mr. Healy	Mr. Plumb
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Ringgold
Mr. Brooks	Mr. Hiller	Mr. Roosevelt
Mr. A. Brown	Mr. Hillyer	Mr. Seger
Mr. G. Brown	Mr. Horton	Mr. Shafer
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Jackson	Mr. M. H. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. M'Kie	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Cuykendall	Mr. Moore	Mr. Waldron
Mr. Davis	Mr. Moseley	Mr. Wheeler
Mr. Dayan	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Williams
Mr. Eldred	Mr. Ostrom	Mr. Woodbury
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodward
Mr. Finch	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Fisher	Mr. Patterson	Mr. W. Woodworth
Mr. Gray	Mr. Pettit	Mr. Wylic
Mr. Griswold	Mr. Phillips	

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Those who voted in the negative are,

Mr. Clinch	Mr. Herttell	Mr. D. Sibley
Mr. J. Haskell		

4

**Ordered,** That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act in addition to the act to amend the act entitled 'An act for establishing a turn-pike road between the cities of Albany and Schenectady,' passed March 30th, 1802," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 04 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. Healy	Mr. Plumb
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Brooks	Mr. Hildreth	Mr. Ringgold
Mr. A. Brown	Mr. Hiller	Mr. Roosevelt
Mr. G. Brown	Mr. Hillyer	Mr. Shafer
Mr. Burhans	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Hough	Mr. D. Sibley
Mr. Barnum	Mr. Jackson	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. King	Mr. Speaker
Mr. Carpenter	Mr. Krum	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Livingston	Mr. E. Strong
Mr. J. Clark	Mr. Lockwood	Mr. Tillinghast
Mr. Coe	Mr. Loomis	Mr. Tomlinson
Mr. Conklin	Mr. Lytle	Mr. Tyrrel
Mr. Crary	Mr. Mallory	Mr. Van Bergen
Mr. Crosby	Mr. M'Cluer	Mr. Wager
Mr. Cuykendall	Mr. M'Kie	Mr. Wheeler
Mr. Davis	Mr. M'Neil	Mr. Wilcoxson
Mr. Dayan	Mr. Moore	Mr. Williams
Mr. Denniston	Mr. Moseley	Mr. Woodbury
Mr. Eldred	Mr. Niles	Mr. Woodward
Mr. Farwell	Mr. Odell	Mr. A. Woodworth
Mr. Finch	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wylie
Mr. Gray	Mr. Pettit	

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**Those who voted in the negative are**

Mr. Clinch	Mr. W. S. Paddock	Mr. Seger
Mr. Ostrom		

4

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Preston
Mr. Anthony	Mr. A. Hascall	Mr. Rice
Mr. Beecher	Mr. Healy	Mr. Ringgold
Mr. Benjamin	Mr. Hendee	Mr. Roosevelt
Mr. Bennet	Mr. Hicks	Mr. Seger
Mr. Blatchly	Mr. Hildreth	Mr. Shafer
Mr. Brooks	Mr. Hittler	Mr. Shepard
Mr. A. Brown	Mr. Hiltner	Mr. D. Sibley
Mr. G. Brown	Mr. Horton	Mr. M. H. Sibley
Mr. Burhans	Mr. Hough	Mr. Simmons
Mr. Burke	Mr. Jackson	Mr. Speaker
Mr. Barnum	Mr. Judd	Mr. Springer
Mr. Burr	Mr. J. W. Lewis	Mr. Stetson
Mr. Cadwell	Mr. Livingston	Mr. Stevens
Mr. Carpenter	Mr. Lockwood	Mr. C. Strong
Mr. Cash	Mr. Loomis	Mr. E. Strong
Mr. A. Clark	Mr. Lytle	Mr. Suffern
Mr. C. Clark	Mr. Mallory	Mr. Tillinghast
Mr. J. Clark	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. M'Kie	Mr. Tyrrel
Mr. Crain	Mr. M'Neil	Mr. Van Bergen
Mr. Crary	Mr. Moore	Mr. Wager
Mr. Crosby	Mr. Moseley	Mr. Waldron
Mr. Crowell	Mr. Niles	Mr. Wheeler
Mr. Caykendall	Mr. Odell	Mr. Wikoxson
Mr. Davis	Mr. Ostrom	Mr. Wilkinson
Mr. Dayan	Mr. P. W. Paddock	Mr. Williams
Mr. Denniston	Mr. Peck	Mr. Woodbury
Mr. Eldred	Mr. Pettit	Mr. Woodward
Mr. Farwell	Mr. Phillips	Mr. A. Woodworth
Mr. Finch	Mr. Philo	Mr. W. Woodworth
Mr. Fisher	Mr. Plumb	Mr. Wylie
Mr. Gray	Mr. Powers	

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Those who voted in the negative are,

Mr. Clinch	Mr. W. S. Paddock	Mr. Patterson
Mr. J. Haskell		



**Ordered.** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to incorporate the Bath and Coney Island turnpike company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 04 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Griswold	Mr. Philo
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Beecher	Mr. Healy	Mr. Powers
Mr. Benjamin	Mr. Hendee	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Seger
Mr. A. Brown	Mr. Hiler	Mr. Shafer
Mr. G. Brown	Mr. Hillyer	Mr. Shepard
Mr. Burhans	Mr. Horton	Mr. D. Sibley
Mr. Burke	Mr. Hough	Mr. M. H. Sibley
Mr. Barnum	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. E. Strong
Mr. A. Clark	Mr. Livingston	Mr. Suffern
Mr. C. Clark	Mr. Lockwood	Mr. Tillinghast
Mr. J. Clark	Mr. Loomis	Mr. Tomlinson
Mr. Coe	Mr. Lytle	Mr. Tyrrel
Mr. Conklin	Mr. Mallory	Mr. Van Bergen
Mr. Crain	Mr. M'Chuer	Mr. Wager
Mr. Crary	Mr. M'Kie	Mr. Waldron
Mr. Crosby	Mr. M'Neil	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moeley	Mr. Wilkinson
Mr. Dayan	Mr. Niles	Mr. Williams
Mr. Denniston	Mr. Odell	Mr. Woodbury
Mr. Eldred	Mr. Ostrom	Mr. Woodward
Mr. Farwell	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Finch	Mr. Pettit	Mr. W. Woodworth
Mr. Fisher	Mr. Phillips	Mr. Wylie
Mr. Gray		

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**Those who voted in the negative are**

Mr. Clinch	Mr. W. S. Paddock	Mr. Patterson
Mr. J. Haskell		

4

**Ordered,** That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the Gilboa and Jefferson turnpike and rail-road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 04 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Fisher	Mr. Pettit
Mr. Anthony	Mr. Gray	Mr. Phillips
Mr. Beecher	Mr. Griswold	Mr. Philo
Mr. Benjamin	Mr. A. Hascall	Mr. Plumb
Mr. Bennet	Mr. Healy	Mr. Powers
Mr. Blatchly	Mr. Hendee	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Seger
Mr. A. Brown	Mr. Hildreth	Mr. Shafer
Mr. G. Brown	Mr. Hiller	Mr. Shepard
Mr. Burhans	Mr. Hillyer	Mr. D. Sibley
Mr. Burke	Mr. Horton	Mr. M. H. Sibley
Mr. Barnum	Mr. Hough	Mr. Simmons
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Krum	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stetson
Mr. A. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. C. Clark	Mr. Livingston	Mr. Sufferin
Mr. J. Clark	Mr. Lockwood	Mr. Tomlinson
Mr. Coe	Mr. Loomis	Mr. Tyrrel
Mr. Conklin	Mr. Lytle	Mr. Van Bergen
Mr. Crain	Mr. Mallory	Mr. Wager
Mr. Crary	Mr. M'Cluer	Mr. Waldron
Mr. Crosby	Mr. M'Kie	Mr. Wheeler
Mr. Crowell	Mr. M'Neil	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moore	Mr. Wilkinson
Mr. Davis	Mr. Moseley	Mr. Williams
Mr. Dayan	Mr. Niles	Mr. Woodbury
Mr. Denniston	Mr. Odell	Mr. Woodward
Mr. Eldred	Mr. Ostrom	Mr. A. Woodworth
Mr. Farwell	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Finch	Mr. Peck	Mr. Wylie

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**Those who voted in the negative are**

Mr. Clinch	Mr. W. S. Paddock	Mr. Patterson
Mr. J. Haskell		

The engrossed bill entitled "An act to incorporate the Le Roy and Brockport M'Adam road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Philo
Mr. Anthony	Mr. A. Hascall	Mr. Plumb
Mr. Beecher	Mr. Healy	Mr. Powers
Mr. Benjamin	Mr. Hendee	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Roosevelt
Mr. A. Brown	Mr. Hillyer	Mr. Seger
Mr. G. Brown	Mr. Horton	Mr. Shafer
Mr. Burhans	Mr. Hough	Mr. Shepard
Mr. Burke	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. King	Mr. M. H. Sibley
Mr. Burr	Mr. Krum	Mr. Simmons
Mr. Cadwell	Mr. J. W. Lewis	Mr. Speaker
Mr. Carpenter	Mr. T. Lewis	Mr. Springer
Mr. Cash	Mr. Livingston	Mr. Stetson
Mr. A. Clark	Mr. Lockwood	Mr. C. Strong
Mr. C. Clark	Mr. Loomis	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Kie	Mr. Tyrrel
Mr. Crary	Mr. M'Neil	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilcoxson
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodbury
Mr. Farwell	Mr. Patterson	Mr. Woodward
Mr. Finch	Mr. Peck	Mr. A. Woodworth
Mr. Fisher	Mr. Pettit	Mr. W. Woodworth
Mr. Gray	Mr. Phillips	Mr. Wylie 103

Those who voted in the negative are

Mr. Clinch

Mr. J. Haskell

**Ordered,** That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act authorising the appointment of commissioners to lay out streets, avenues and squares in the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 102 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. J. Haskell	Mr. Plumb
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hendee	Mr. Preston
Mr. Blatchly	Mr. Hicks	Mr. Richmond
Mr. Brooks	Mr. Hildreth	Mr. Roosevelt
Mr. A. Brown	Mr. Hiller	Mr. Seger
Mr. G. Brown	Mr. Hillyer	Mr. Shafer
Mr. Burhans	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Hough	Mr. D. Sibley
Mr. Barnum	Mr. Jackson	Mr. M. H. Sibley
Mr. Burr	Mr. King	Mr. Simmons
Mr. Cadwell	Mr. Krum	Mr. Speaker
Mr. Carpenter	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Loomis	Mr. Suffern
Mr. Clinch	Mr. Lytle	Mr. Tillinghast
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crain	Mr. M'Kie	Mr. Van Bergen
Mr. Crary	Mr. M'Neil	Mr. Wager
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. Ostrom	Mr. Williams
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodbury
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodward
Mr. Finch	Mr. Patterson	Mr. A. Woodworth
Mr. Fisher	Mr. Peck	Mr. W. Woodworth
Mr. Gray	Mr. Pettit	Mr. Wylie

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The engrossed bill from the Senate, entitled "An act to incorporate the Montgomery iron company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Bennet	Mr. Hendee	Mr. Richmond
Mr. Blatchly	Mr. Hicks	Mr. Seger
Mr. Brooks	Mr. Hildreth	Mr. Shafer
Mr. A. Brown	Mr. Hiller	Mr. Shepard
Mr. G. Brown	Mr. Hillyer	Mr. D. Sibley
Mr. Burhans	Mr. Horton	Mr. M. H. Sibley
Mr. Burke	Mr. Hough	Mr. Simmons
Mr. Barnum	Mr. Jackson	Mr. Speaker
Mr. Burr	Mr. Judd	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. E. Strong
Mr. Cash	Mr. T. Lewis	Mr. Suffern
Mr. A. Clark	Mr. Livingston	Mr. Tillinghast
Mr. C. Clark	Mr. Lockwood	Mr. Tomlinson
Mr. J. Clark	Mr. Loomis	Mr. Tyrrel
Mr. Coe	Mr. Lytle	Mr. Van Bergen
Mr. Conklin	Mr. Mallory	Mr. Wager
Mr. Crain	Mr. M'Cluer	Mr. Waldron
Mr. Crary	Mr. M'Neil	Mr. Wheeler
Mr. Crosby	Mr. Moore	Mr. Wilcoxson
Mr. Crowell	Mr. Niles	Mr. Wilkinson
Mr. Cuykendall	Mr. Odell	Mr. Williams
Mr. Davis	Mr. Ostrom	Mr. Woodbury
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodward
Mr. Eldred	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Finch	Mr. Patterson	Mr. W. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Gray	Mr. Pettit	

95

Those who voted in the negative are

Mr. Clinch	Mr. Herttell	Mr. Roosevelt
Mr. J. Haskell		

4

*Ordered*, That the clerk deliver the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

**Ordered,** That the resolution to amend the Constitution, relative to the Canal fund and the revenues of the Erie canal, be recommended to a committee of the whole house.

The engrossed bill from the Senate, entitled "An act respecting Aries and First-street in the village of Oswego," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act authorising Benajah Byington to search for rock salt," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act in relation to school district number one in the town of Salina," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act authorising Marcus B. Osborne to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in the county of Kings, and for other purposes," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to authorise the formation of a militia company, for the protection and support of the Mount-Pleasant State prison," was read the third time.

Thereupon,

The title of the said bill being altered to "An act for the formation of a militia company, for the protection of the Mount-Pleasant State prison:"

**Resolved,** That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendment therewith delivered.

The engrossed bill entitled "An act authorising the survey of a canal route from Buffalo to the Allegany river," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act authorising the trustees of St. John's church in the county of Tioga, to sell a church lot," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Philo
Mr. Anthony	Mr. Gray	Mr. Plumb
Mr. Beecher	Mr. Griswold	Mr. Powers
Mr. Benjamin	Mr. A. Hascall	Mr. Preston
Mr. Bennet	Mr. J. Haskell	Mr. Ringgold
Mr. Blatchly	Mr. Healy	Mr. Roosevelt
Mr. Brooks	Mr. Hendee	Mr. Seger
Mr. A. Brown	Mr. Hicks	Mr. Shepard
Mr. G. Brown	Mr. Hildreth	Mr. D. Sibley
Mr. Burhans	Mr. Hiller	Mr. M. H. Sibley
Mr. Burke	Mr. Hillyer	Mr. Simmons
Mr. Barnum	Mr. Horton	Mr. Speaker
Mr. Burr	Mr. Hough	Mr. Springer
Mr. Cadwell	Mr. Krum	Mr. Stetson
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Lockwood	Mr. Suffern
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Clinch	Mr. Lytle	Mr. Tomlinson
Mr. Coe	Mr. Mallory	Mr. Tyrrel
Mr. Conklin	Mr. McCluer	Mr. Van Bergen
Mr. Crain	Mr. Moore	Mr. Waldron
Mr. Crary	Mr. Moseley	Mr. Wheeler
Mr. Crosby	Mr. Niles	Mr. Wilcoxson
Mr. Crowell	Mr. Odell	Mr. Wilkinson
Mr. Cuykendall	Mr. Ostrom	Mr. Williams
Mr. Davis	Mr. P. W. Paddock	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Eldred	Mr. Peck	Mr. W. Woodworth
Mr. Farwell	Mr. Phillips	Mr. Wylie
Mr. Finch		

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The engrossed bill entitled "An act to authorize the trustees of the Mayville Baptist society to sell certain real estate," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Plumb
Mr. Anthony	Mr. Griswold	Mr. Powers
Mr. Beecher	Mr. A. Hascah	Mr. Preston
Mr. Bennet	Mr. J. Haskell	Mr. Ringgold
Mr. Blatchly	Mr. Hendee	Mr. Roosevelt
Mr. Brooks	Mr. Hicks	Mr. Seger
Mr. A. Brown	Mr. Hildreth	Mr. Shafer
Mr. G. Brown	Mr. Hiller	Mr. Shepard
Mr. Burhans	Mr. Hillyer	Mr. D. Sibley
Mr. Burke	Mr. Horton	Mr. M. H. Sibley
Mr. Barnum	Mr. Hough	Mr. Simmons
Mr. Barr	Mr. Judd	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Stetson
Mr. Cash	Mr. T. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Suffern
Mr. Clinch	Mr. Mellory	Mr. Tillinghast
Mr. Coe	Mr. M'Cluer	Mr. Tomlinson
Mr. Conklin	Mr. M'Neil	Mr. Tyrrel
Mr. Crain	Mr. Moore	Mr. Van Bergen
Mr. Crary	Mr. Moseley	Mr. Wager
Mr. Crosby	Mr. Niles	Mr. Waldron
Mr. Crowell	Mr. Odell	Mr. Wheeler
Mr. Cuykendall	Mr. Ostrom	Mr. Wilcoxson
Mr. Davis	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Denniston	Mr. W. S. Paddock	Mr. Williams
Mr. Eldred	Mr. Patterson	Mr. Woodbury
Mr. Farwell	Mr. Peck	Mr. Woodward
Mr. Finch	Mr. Pettit	Mr. W. Woodworth
Mr. Fisher	Mr. Phillips	Mr. Wylie

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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to amend an act entitled 'An act in relation to the Albany Burgesses corps,' passed May the 6th, 1834," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:



{ AYES 58 }  
 { NAYS 35 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Eldred	Mr. Niles
Mr. Beecher	Mr. Farwell	Mr. Odell
Mr. Bennet	Mr. Finch	Mr. P. W. Paddock
Mr. Blatchly	Mr. Fisher	Mr. Pettit
Mr. A. Brown	Mr. Gray	Mr. Phillips
Mr. G. Brown	Mr. Griswold	Mr. Seger
Mr. Burhans	Mr. Hicks	Mr. Shepard
Mr. Burke	Mr. Hildreth	Mr. D. Sibley
Mr. Barnum	Mr. Horton	Mr. Simmons
Mr. Burr	Mr. Hough	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. Krum	Mr. Stevens
Mr. Cash	Mr. Livingston	Mr. C. Strong
Mr. A. Clark	Mr. Lockwood	Mr. Van Bergen
Mr. J. Clark	Mr. Lytle	Mr. Waldron
Mr. Conklin	Mr. Mallory	Mr. Wilkinson
Mr. Crain	Mr. M'Cluer	Mr. Williams
Mr. Crary	Mr. M'Neil	Mr. Woodbury
Mr. Crowell	Mr. Moseley	Mr. Wylie
Mr. Denniston		

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Those who voted in the negative are

Mr. Adams	Mr. J. W. Lewis	Mr. Shafer
Mr. Clinch	Mr. T. Lewis	Mr. Stetson
Mr. Crosby	Mr. M'Kie	Mr. E. Strong
Mr. Cuykendall	Mr. Moore	Mr. Tillinghast
Mr. Davis	Mr. W. S. Paddock	Mr. Tomlinson
Mr. Harvey	Mr. Patterson	Mr. Tyrrel
Mr. A. Hascall	Mr. Peck	Mr. Wager
Mr. J. Haskell	Mr. Plumb	Mr. Wheeler
Mr. Healy	Mr. Powers	Mr. Wilcoxson
Mr. Hendee	Mr. Preston	Mr. Woodward
Mr. Hiller	Mr. Ringgold	Mr. W. Woodworth
Mr. Hillyer	Mr. Roosevelt	

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Two several messages from the Senate were read, informing that they have rejected the bill entitled "An act to extend the navigation from the head of the Chemung canal feeder, to the village of Centerville in the town of Painted-Post in the county of Steuben, and for other purposes;" and the bill entitled "An act relative to the laws and ordinances of the common council of the city of New-York."

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head

turnpike company,' passed April 29th, 1833;" the bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall turnpike company,' passed March 30th, 1809;" and the bill entitled "An act to incorporate the Dover and Union turnpike company," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend the act entitled 'An act to prohibit the circulation of small bills.'"

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Wilkinson made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wilkinson, and it was unanimously determined in the affirmative.

Thereupon,

By the unanimous consent of the House, the said bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

And then the House adjourned until four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then resolved itself into a committee of the whole, on the resolution to amend the Constitution relative to the Canal fund, and the revenues arising from the canals, &c.; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Burhans, from the said committee, reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Wilkinson made a motion that the House should agree to amend the said report, by striking from the resolution the amendment adopted in committee of the whole, which was read, in the words following, to wit:

"But in no case shall the Legislature reduce the rates of toll below the rate now established by the Constitution, except by a vote of two-thirds of all the members elected to each branch of the Legislature."

Mr. Speaker put the question whether the House would agree to

the said motion of Mr. Wilkinson, and it was determined in the negative.

{ NAYS 50 }  
{ AYES 45 }

The ayes and noes being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Fisher	Mr. Odell
Mr. Anthony	Mr. Gray	Mr. P. W. Paddock
Mr. Beecher	Mr. Griswold	Mr. Peck
Mr. Burhans	Mr. Harvey	Mr. Phillips
Mr. Burr	Mr. A. Hascall	Mr. Philo
Mr. Carpenter	Mr. J. Haskell	Mr. Powers
Mr. Cash	Mr. Herttell	Mr. Seger
Mr. A. Clark	Mr. Hicks	Mr. Springer
Mr. J. Clark	Mr. Hiller	Mr. Stevens
Mr. Conklin	Mr. Hillyer	Mr. Suffern
Mr. Crary	Mr. Jackson	Mr. Tillinghast
Mr. Crosby	Mr. Judd	Mr. Tomlinson
Mr. Davis	Mr. Krum	Mr. Van Bergen
Mr. Dayan	Mr. Livingston	Mr. Waldron
Mr. Denniston	Mr. Loomis	Mr. Wheeler
Mr. Eldred	Mr. M'Kie	Mr. Wilcoxson
Mr. Finch	Mr. Moore	

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Those who voted in the affirmative are

Mr. Benjamin	Mr. King	Mr. Roosevelt
Mr. Bennet	Mr. T. Lewis	Mr. Shepard
Mr. A. Brown	Mr. Lytle	Mr. D. Sibley
Mr. G. Brown	Mr. Mallory	Mr. M. H. Sibley
Mr. Burke	Mr. M'Cluer	Mr. Simmons
Mr. Barnum	Mr. M'Neil	Mr. Stetson
Mr. Cadwell	Mr. Moseley	Mr. E. Strong
Mr. C. Clark	Mr. Niles	Mr. Tyrrel
Mr. Clinch	Mr. W. S. Paddock	Mr. Wager
Mr. Coe	Mr. Parker	Mr. Wilkinson
Mr. Crowell	Mr. Patterson	Mr. Williams
Mr. Cuykendall	Mr. Pettit	Mr. Woodbury
Mr. Healy	Mr. Plumb	Mr. Woodward
Mr. Hildreth	Mr. Preston	Mr. W. Woodworth
Mr. Horton	Mr. Richmond	Mr. Wylie

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Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

Thereupon,

The said resolution was ordered to a third reading.

And then the House adjourned until ten o'clock to-morrow morning.

WEDNESDAY, APRIL 22, 1835.

The House met pursuant to adjournment.

The petition of the trustees of the Masonic Hall Association of the city of New-York, praying for authority to dissolve the association and dispose of its property, was read, and referred to a select committee, consisting of Mr. Wetmore, Mr. D. Sibley and Mr. Roosevelt.

The remonstrance of Hugh White, president of the Cohoes Bridge Company, against the passage of the bill amending the charter of said company, was read, and ordered to be laid on the table.

The remonstrance of sundry inhabitants of the city of Utica, against the proposed tax for the change of the termination of the Chenango canal, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Burke, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act extending further privileges to the firemen of the respective cities within this State;" the bill entitled "An act to incorporate the Napanock company;" the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22d, 1831;" the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport;'" the bill entitled "An act to incorporate the Fishkill education society;" the bill entitled "An act to incorporate the Watertown academy;" the bill entitled "An act in relation to the measurement and inspection of lumber;" and the bill entitled "An act authorising Felix Tracy to build a dam across the Genesee river."

Thereupon,

*Ordered,* That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act extending further privileges to the firemen of the respective cities within this State," be referred to a select committee, consisting of Mr. Livingston, Mr. Herttell and Mr. Springer; that the bill entitled "An act to incorporate the Napanock company," be referred to a select committee, consisting of Mr. Davis, Mr. W. Woodworth and Mr. Cash; that the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22d, 1831," be referred to a select committee, consisting of Mr. W. Woodworth, Mr. Davis and Mr. Lockwood; that the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport,'" be referred to a select committee, consisting of Mr. D. Sibley, Mr. Patterson and

Mr. Brown; that the bill entitled "An act to incorporate the Fish-kill education society," be referred to a select committee, consisting of Mr. Anthony, Mr. Denniston and Mr. P. W. Paddock; that the bill entitled "An act to incorporate the Watertown academy," be referred to a select committee, consisting of Mr. Farwell, Mr. C. Strong and Mr. C. Strong; that the bill entitled "An act in relation to the measurement and inspection of lumber," be referred to a select committee, consisting of Mr. Springer, Mr. Healy and Mr. Krum; and that the bill entitled "An act authorising Felix Tracy to build a dam across the Genesee river," be referred to a select committee, consisting of Mr. Patterson, Mr. A. Hascall and Mr. Tomlinson, to be by the said committees severally reported complete.

Mr. Wager, from the committee on canals and internal improvements, to which was referred the annual report of the Canal Commissioners, on so much as relates to the Chemung canal, reported a bill, entitled "An act in relation to the Chemung canal;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Bennet made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Bennet, and it was unanimously determined in the affirmative.

Mr. Wetmore, from the select committee to which was referred the bill entitled "An act to vest certain lands, tenements and hereditaments in the mayor, aldermen and commonalty of the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Griswold, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act to incorporate the Lansingburgh dry dock and hydraulic company, passed April 15th, 1826," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Van Bergen, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn lyceum,'" reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to improve the navigation of the Albany basin," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Wilcoxson, from the select committee to which was referred the petition of the common council of the city of Hudson, praying for an act authorising them to lay out a public square in said city, reported; and asked leave to introduce a bill.

[See Document No. 378.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wilcoxson, according to leave, brought in the said bill, entitled "An act to authorise the common council of the city of Hudson to lay out a public square in said city;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Wilcoxson, Mr. Shafer and Mr. Stevens, to report the same complete.

Mr. Crosby, from the select committee to which was referred the bill entitled "An act relative to the trustees of Union society in the town of Somers, Westchester county, and the wardens and vestry of St. Luko's church in said town," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Hough, from the select committee appointed in pursuance of the resolution of this House of the twentieth instant, reported a bill, entitled "An act to subject corporations to assessment for highway labor;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Wilkinson, Mr. Tomlinson and Mr. Deniston, to report the same complete.

The engrossed bill from the Senate, entitled "An act to amend the act to incorporate the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 103 }  
{ NAYS 00 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Pettit
Mr. Anthony	Mr. Griswold	Mr. Phillips
Mr. Beecher	Mr. A. Hascall	Mr. Philo
Mr. Benjamin	Mr. J. Haskell	Mr. Plumb
Mr. Bennet	Mr. Healy	Mr. Powers
Mr. Blatchly	Mr. Herttell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Rice
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Roosevelt
Mr. Burhans	Mr. Horton	Mr. Seger
Mr. Burke	Mr. Hough	Mr. Shepard
Mr. Bannum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Judd	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Speaker
Mr. Carr	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Clinch	Mr. Lytle	Mr. Suffera
Mr. Coe	Mr. Mallory	Mr. Tillinghast
Mr. Conklin	Mr. M'Cluer	Mr. Tomlinson
Mr. Crain	Mr. M'Kie	Mr. Tyrrel
Mr. Crary	Mr. M'Neil	Mr. Wager
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. Ostrom	Mr. Williams
Mr. Denniston	Mr. W. S. Paddock	Mr. Woodward
Mr. Eldred	Mr. Palmer	Mr. A. Woodworth
Mr. Farwell	Mr. Parker	Mr. W. Woodworth
Mr. Finch	Mr. Patterson	Mr. Wylie
Mr. Fisher	Mr. Peck	

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

Mr. Patterson, from the select committee to which was referred the bill entitled "An act authorising Felix Tracy to build a dam across the Genesee river," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Clinch, from the select committee to which was referred the memorial of the mayor, aldermen and commonalty of the city of

New-York, praying for authority to alter the map of said city, reported; and asked leave to introduce a bill.

[See Document No. 376.]

*Ordered*, That leave be given to bring in such bill.

Mr. Clinch, according to leave, brought in the said bill, entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of the said city;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Wetmore, from the select committee to which was referred the petition of the trustees of the Masonic Association in the city of New-York, reported; and asked leave to introduce a bill.

[See Document No. 377.]

*Ordered*, That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act authorising the dissolution of the Masonic hall association in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Wetmore, Mr. Clinch and Mr. Roosevelt, to report complete.

Mr. Farwell, from the select committee to which was referred the bill entitled "An act to incorporate the Watertown academy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Plumb, from the select committee to which was referred the bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving a road passing through said towns," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Ostrom, from the select committee on so much of the Go-



vernor's message as relates to poor-houses, to whom was referred the petition of sundry inhabitants of the county of Tioga, praying for a repeal of the poor laws, so far as respects said county, and that a law may be passed that each town in said county support their own poor, reported, that the committee have examined the said petition, and believe it to be one of the cases requiring notices to be published of an intended application; and no such notices having been given, beg leave to offer the following resolution:

*Resolved*, That the petitioners have leave to withdraw their petition.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act extending further privileges to the firemen of the respective cities within this State," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Crain, from the select committee to which was referred the petition of the committee of the town of Sherburne, to raise money by tax to prepare a room for the use of the town, reported; and asked leave to introduce a bill.

[See Document No. 379.]

*Ordered*, That leave be given to bring in such bill.

Mr. Crain, according to leave, brought in the said bill, entitled "An act to authorise the supervisors of the county of Chenango to raise money by tax on the taxable inhabitants of the town of Sherburne, to prepare a room for the use of said town;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Crain made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Crain, and it was unanimously determined in the affirmative.

Mr. Wilcoxson, from the select committee to which was referred the bill entitled "An act to authorise the common council of the city of New-York to lay out a public square in said city," reported; that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned till four o'clock this afternoon.

## FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

A message from the Senate was read, informing that they have passed the bill entitled "An act granting certain land and land under water in the village of Williamsburgh, county of King, to certain persons therein named, owners of the adjacent upland, and authorising them to erect a dock or docks thereon," with the amendments therewith delivered, one of the said amendments being to alter the title to "An act authorising certain persons to erect and maintain docks in the village of Williamsburgh, county of Kings."

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising money to be raised by tax, to build a bridge across Shawangunk-kill in the county of Ulster," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate returned the bill entitled "An act authorising certain persons to erect and maintain docks in the village of Williamsburgh, county of Kings;" the bill entitled "An act to amend the act entitled 'An act to incorporate the East creek turnpike company;'" the bill entitled "An act to incorporate the Delaware literary institute," and the bill entitled "An act in relation to bills of exchange and promissory notes."

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York marine dry dock company,' passed May 15, 1834;" a bill entitled "An act to incorporate the Dover academy;" and a bill entitled "An act to amend an act to incorporate the Society for the relief of orphan and destitute children in the city of Albany, passed March 30th, 1831."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York marine dry dock company,' passed May 15th, 1834," was referred to a select committee, consisting of Mr. Clinch, Mr. Ringgold and Mr. Crowell; the bill entitled "An act to incorporate the Dover academy," was referred to the committee on colleges, academics and common schools; and the bill entitled "An act to amend an act to incorporate the Society for the relief of orphan and destitute children in the city of Albany, passed March 30th, 1831," was referred to the committee on the incorporation of charitable and religious societies, severally to consider and report thereon.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act authorising certain persons to erect and maintain docks in the village of Williamsburgh, county of Kings."

W. L. MARCY.

*Albany, April 22, 1835.*

The House then resolved itself into a committee of the whole, on the bill entitled "An act to repeal the act therein mentioned, and for other purposes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Carpenter, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Thereupon,

Mr. Patterson made a motion that the House should agree to amend the report of the committee of the whole, by inserting the following as the second section of the said bill, to wit:

§ 2. Any person may use and apply for the benefit of any sick person, any roots, barks, herbs, gums, spices, wines, spirits, and other articles commonly used by botanic physicians for that purpose, (minerals and mineral combinations excepted;) and such person shall be, and hereby is permitted to collect by law, in any court in this State, or otherwise receive, a reasonable compensation for his medicines and personal attendance and services.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Patterson, and it was determined in the negative.

{ NAYS 51 }  
{ AYES 33 }

The ayes and noes being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Eldred	Mr. Peck
Mr. Anthony	Mr. Farwell	Mr. Phillips
Mr. Beecher	Mr. Gray	Mr. Philo
Mr. Benjamin	Mr. Griswold	Mr. Plumb
Mr. G. Brown	Mr. Healy	Mr. Powers
Mr. Burhans	Mr. Hildreth	Mr. Rice
Mr. Burke	Mr. Hillyer	Mr. Roosevelt
Mr. Barnum	Mr. Horton	Mr. Speaker
Mr. Cadwell	Mr. Jackson	Mr. Stetson
Mr. Carpenter	Mr. Judd	Mr. C. Strong

Mr. Gash	Mr. King	Mr. Tomlinson
Mr. Crosby	Mr. Livingston	Mr. Waldron
Mr. Crowell	Mr. Mallory	Mr. Wilcoxson
Mr. Cuykendall	Mr. M'Cloer	Mr. Williams
Mr. Davis	Mr. Niles	Mr. Woodbury
Mr. Dayan	Mr. P. W. Paddock	Mr. Woodward
Mr. Denniston	Mr. W. S. Paddock	Mr. A. Woodworth 51

Those who voted in the affirmative are

Mr. Bennet	Mr. Herttell	Mr. Seger
Mr. Blatchly	Mr. Hicks	Mr. Shepard
Mr. Brooks	Mr. Krum	Mr. D. Sibley
Mr. A. Brown	Mr. J. W. Lewis	Mr. Simmons
Mr. C. Clark	Mr. T. Lewis	Mr. Springer
Mr. J. Clark	Mr. M'Kie	Mr. E. Strong
Mr. Conklin	Mr. Odell	Mr. Suffern
Mr. Crary	Mr. Ostrom	Mr. Tillinghast
Mr. Finch	Mr. Parker	Mr. Tyrrel
Mr. Fisher	Mr. Patterson	Mr. Wheeler
Mr. J. Haskell	Mr. Pettit	Mr. Wylie 33

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the several bills for the incorporation of rail-road companies, which were committed to the committee of the whole when on the bill to define the powers and regulate the proceedings of rail-road corporations; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to authorize the establishment of the New-York State lunatic asylum;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## THURSDAY, APRIL 23, 1835.

**The House met pursuant to adjournment.**

The remonstrance of sundry inhabitants of Newtown, Queens county, against the passage of an act to appoint commissioners to lay out a road from Hallett's cove to Flushing, was read, and ordered to be laid upon the table.

The remonstrance of sundry inhabitants of the city of Utica, against being taxed for the termination of the Chenango canal, was read, and committed to the committee of the whole when on the bill upon that subject.

The remonstrance of John Brown of Schenectady, against the erection of a bridge across the Mohawk river by the Utica and Schenectady Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

*Ordered*, That the committee on the judiciary be discharged from the consideration of the petition of sundry inhabitants of the village of Lansingburgh, praying for the construction of a bridge across the Hudson river, and for an amendment to the thirteenth section of the act to incorporate the Troy and Saratoga rail-road company; and that the same be referred to the committee on rail-roads.

Mr. Palmer, from the committee on the erection and division of towns and counties, to which was referred the petition of sundry inhabitants of the town of Jersey in the county of Steuben, praying for a division of said town, together with a remonstrance of sundry inhabitants against the same, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Dover academy," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Thorn, from the committee on the incorporation of charitable and religious societies, to which was referred the engrossed bill from the Senate, entitled "An act to amend an act to incorporate the Society for the relief of orphan and destitute children in the city of Albany, passed March 30th, 1831," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Crowell, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York marine dry dock company,' passed May 5th, 1834," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Lockwood, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend the act relating to the militia and public defence," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law.

*Ordered.* That the said bill be laid upon the table.

Mr. Wetmore, from the select committee to which was referred the petition of sundry inhabitants of the county of Clinton, praying for the incorporation of an academy, reported a bill, entitled "An act to incorporate the Keeseville academy;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Stetson made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Stetson, and it was unanimously determined in the affirmative.

Mr. Wetmore, from the majority of the committee on colleges, academics and common schools, to which was referred the petition of sundry inhabitants of the village of Chittenango, praying for the incorporation of an academy in said village, reported a bill, entitled "An act to incorporate the High school society of Chittenango;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the majority of the committee on colleges, academics and common schools, to which was referred the petition of sundry inhabitants of the village of Kingsborough in the county of Montgomery, praying for an incorporation of the academy in said village, reported a bill, entitled "An act to incorporate the Kingsborough academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the majority of the committee on colleges, academics and common schools, to which was referred the petition of sundry inhabitants of the county of Oneida, praying for the incorporation of the Vernon Academy, reported a bill, entitled "An act to incorporate the Vernon academy;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Wetmore, from the select committee to which was referred the bill entitled "An act authorising the dissolution of the Masonic hall association in the city of New-York," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Anthony, from the select committee to which was referred the bill entitled "An act to incorporate the Fishkill education society," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Davis, from the select committee to which was referred the bill entitled "An act to incorporate the Napanock company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. W. Woodworth, from the select committee to which was referred the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22, 1831," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

A communication from the Comptroller was received and read, in the words following, to wit:

#### COMPTROLLER'S OFFICE, }

*Albany, April 22, 1835. }*

The Comptroller, in obedience to a resolution of the Assembly of the eighteenth instant, requesting him to report how long the interest on the money loaned and proposed to be loaned for the construction of the Chenango canal, can be paid from the premiums on such loans, &c. respectfully reports:

[*See Document No. 381.*]

*Ordered,* That the said report be referred to the committee on canals and internal improvements.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the village of Havana in the county of Tioga;"

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the engrossed bill entitled "An act to extend the act in relation to the State hall, passed April 1st, 1834;" the engrossed bill entitled "An act to incorporate the Nassau academy;" the engrossed bill entitled "An act to authorise the building of two bridges over the Caderskill in the town of Catskill in the county of Greene;" the engrossed bill entitled "An act to appoint commissioners to lay out a road through part of the town of Newtown in Queens county;" the engrossed bill entitled "An act to authorise the supervisors of the county of Chenango to raise money by tax on the taxable inhabitants of the town of Sherburne, to prepare a room for the use of said town;" the engrossed bill entitled "An act to authorise the survey of canal routes from the Sacandaga branch of the Hudson river in Northampton, Montgomery county, to the Erie and Champlain canals;" the engrossed bill entitled "An act to authorise the common council of the city of Hudson to lay out a public square in said city;" the engrossed bill entitled "An act extending further privileges to the firemen of the respective cities within this State;" the engrossed bill entitled "An act relative to the Chemung canal;" the engrossed bill entitled "An act to repeal the act therein mentioned;" the engrossed bill entitled "An act relative to the trustees of Union society of the town of Somers in the county of Westchester, and the wardens and vestry of St. Luke's church of said town;" the engrossed bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque;" the engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport,' passed April 6th, 1829;" and the engrossed bill entitled "An act relating to the Wallabout and Brooklyn toll-bridge company," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Rochester water-works company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Beecher	Mr. Harvey	Mr. Philo
Mr. Benjamin	Mr. Healy	Mr. Plumb
Mr. Bennet	Mr. Herttell	Mr. Powers
Mr. Blatchly	Mr. Hiller	Mr. Preston



Mr. Brooks	Mr. Hillyer	Mr. Rice
Mr. A. Brown	Mr. Horton	Mr. Roosevelt
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Jackson	Mr. Shafer
Mr. Burke	Mr. Judd	Mr. Shepard
Mr. Barnum	Mr. King	Mr. D. Sibley
Mr. Cadwell	Mr. Krum	Mr. M. H. Sibley
Mr. Carpenter	Mr. J. W. Lewis	Mr. Simmons
Mr. Cash	Mr. T. Lewis	Mr. Speaker
Mr. A. Clark	Mr. Livingston	Mr. Springer
Mr. C. Clark	Mr. Lockwood	Mr. Stetson
Mr. J. Clark	Mr. Lytle	Mr. Stevens
Mr. Coe	Mr. Mallory	Mr. E. Strong
Mr. Conklin	Mr. M'Cluer	Mr. Suffern
Mr. Crain	Mr. M'Kie	Mr. Thorn
Mr. Crary	Mr. Moore	Mr. Tillinghast
Mr. Crosby	Mr. Moseley	Mr. Tomlinson
Mr. Crowell	Mr. Niles	Mr. Tyrrel
Mr. Cuykendall	Mr. Odell	Mr. Wheeler
Mr. Davis	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Dayan	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Denniston	Mr. Palmer	Mr. Williams
Mr. Eldred	Mr. Parker	Mr. Woodbury
Mr. Farwell	Mr. Patterson	Mr. Woodward
Mr. Finch	Mr. Peck	Mr. Wylie
Mr. Gray		

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Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell
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2

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Fulton," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES	97 }
{ NAYS	00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Finch	Mr. Patterson
Mr. Anthony	Mr. Fisher	Mr. Peck

Mr. Beecher	Mr. Gray	Mr. Pettit
Mr. Benjamin	Mr. Griswold	Mr. Phillips
Mr. Bennet	Mr. Groom	Mr. Philo
Mr. Blatchly	Mr. Harvey	Mr. Plumb
Mr. Brooks	Mr. J. Haskell	Mr. Powers
Mr. A. Brown	Mr. Healy	Mr. Preston
Mr. G. Brown	Mr. Herttell	Mr. Rice
Mr. Burhans	Mr. Hiller	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Judd	Mr. M. H. Sibley
Mr. Carpenter	Mr. King	Mr. Simmons
Mr. Carr	Mr. Krum	Mr. Speaker
Mr. Cash	Mr. J. W. Lewis	Mr. Springer
Mr. A. Clark	Mr. T. Lewis	Mr. Stetson
Mr. C. Clark	Mr. Livingston	Mr. Stevens
Mr. J. Clark	Mr. Lockwood	Mr. Suffern
Mr. Clinch	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Conklin	Mr. M'Cluer	Mr. Tyrrel
Mr. Crain	Mr. M'Kie	Mr. Waldron
Mr. Crary	Mr. Moore	Mr. Wheeler
Mr. Crosby	Mr. Moseley	Mr. Wilcoxson
Mr. Crowell	Mr. Niles	Mr. Wilkinson
Mr. Cuykendall	Mr. Odell	Mr. Williams
Mr. Davis	Mr. P. W. Paddock	Mr. Woodbury
Mr. Dayan	Mr. W. S. Paddock	Mr. Woodward
Mr. Denniston	Mr. Palmer	Mr. W. Woodworth
Mr. Eldred	Mr. Parker	Mr. Wylie
Mr. Farwell		

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the charter of the village of Cazenovia," with the amendments therewith delivered, one of the said amendments being to alter the title to "An act to amend the act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cazenovia,' passed February 17th, 1810."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Anthony	Mr. Griswold	Mr. Peck
Mr. Beecher	Mr. Groom	Mr. Pettit
Mr. Benjamin	Mr. Harvey	Mr. Phillips
Mr. Bennet	Mr. J. Haskell	Mr. Philo
Mr. Blatchly	Mr. Healy	Mr. Plumb
Mr. Brooks	Mr. Herttell	Mr. Powers
Mr. A. Brown	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Burke	Mr. Hough	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Judd	Mr. M. H. Sibley
Mr. Carpenter	Mr. King	Mr. Simmons
Mr. Cash	Mr. Krum	Mr. Speaker
Mr. A. Clark	Mr. J. W. Lewis	Mr. Springer
Mr. C. Clark	Mr. T. Lewis	Mr. Stetson
Mr. J. Clark	Mr. Livingston	Mr. Stevens
Mr. Clinch	Mr. Lockwood	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Cluer	Mr. Tomlinson
Mr. Crary	Mr. M'Kie	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. P. W. Paddock	Mr. Williams
Mr. Denniston	Mr. W. S. Paddock	Mr. Woodbury.
Mr. Eldred	Mr. Palmer	Mr. Woodward
Mr. Farwell	Mr. Parker	Mr. A. Woodworth
Mr. Finch		

94

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Sable iron company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 88 }  
{ NAYS 04 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Finch	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Patterson
Mr. Benjamin	Mr. Griswold	Mr. Peck
Mr. Bennet	Mr. Groom	Mr. Pettit
Mr. Blatchly	Mr. Harvey	Mr. Phillips
Mr. Brooks	Mr. Healy	Mr. Philo
Mr. A. Brown	Mr. Hiller	Mr. Plumb
Mr. G. Brown	Mr. Hillyer	Mr. Powers
Mr. Burhans	Mr. Horton	Mr. Preston
Mr. Burke	Mr. Hough	Mr. Seger
Mr. Barnum	Mr. Jackson	Mr. Shepard
Mr. Burr	Mr. Judd	Mr. D. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Speaker
Mr. Cash	Mr. J. W. Lewis	Mr. Springer
Mr. A. Clark	Mr. T. Lewis	Mr. Stetson
Mr. C. Clark	Mr. Livingston	Mr. Stevens
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Cluer	Mr. Tomlinson
Mr. Crary	Mr. M'Kie	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Davis	Mr. Odell	Mr. Wilkinson
Mr. Dayan	Mr. P. W. Paddock	Mr. Williams
Mr. Denniston	Mr. W. S. Paddock	Mr. Woodbury
Mr. Eldred	Mr. Palmer	Mr. Woodward
Mr. Farwell		

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## Those who voted in the negative are,

Mr. Clinch	Mr. Herttell	Mr. Roosevelt
Mr. J. Haskell		

4

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Philo
Mr. Anthony	Mr. Griswold	Mr. Plumb
Mr. Beecher	Mr. Groom	Mr. Powers
Mr. Benjamin	Mr. Harvey	Mr. Preston
Mr. Bennet	Mr. J. Haskell	Mr. Rice
Mr. Blatchly	Mr. Healy	Mr. Roosevelt
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. A. Brown	Mr. Hillyer	Mr. Shafer
Mr. G. Brown	Mr. Horton	Mr. Shepard
Mr. Burhans	Mr. Hough	Mr. D. Sibley
Mr. Burke	Mr. Jackson	Mr. M. H. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Carr	Mr. Lockwood	Mr. Stevens
Mr. Cash	Mr. Lytle	Mr. E. Strong
Mr. A. Clark	Mr. Mallory	Mr. Suffern
Mr. C. Clark	Mr. M'Cluer	Mr. Thorn
Mr. J. Clark	Mr. M'Kie	Mr. Tillinghast
Mr. Coe	Mr. Moore	Mr. Tomlinson
Mr. Conklin	Mr. Moseley	Mr. Tyrrel
Mr. Crain	Mr. Niles	Mr. Waldron
Mr. Crary	Mr. Odell	Mr. Wheeler
Mr. Crosby	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Crowell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Cuykendall	Mr. Palmer	Mr. Williams
Mr. Davis	Mr. Parker	Mr. Woodbury
Mr. Denniston	Mr. Patterson	Mr. Woodward
Mr. Eldred	Mr. Peck	Mr. W. Woodworth
Mr. Farwell	Mr. Pettit	Mr. Wylie
Mr. Finch	Mr. Phillips	

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have concurred with this House in its amendments to the bill entitled "An act to authorise the formation of a militia company for the protection of the Mount-Pleasant State prison."

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act to incorporate the village of Clyde in the county of Wayne."

The said bill and amendments were read; and the amendments having been again read,

Mr. Patterson made a motion that the House should agree to non-concur with the Senate in their said amendment designated as the fourteenth section to the said bill, and to concur in the other of the said amendments.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Patterson, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Beecher	Mr. J. Haskell	Mr. Plumb
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hicks	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Roosevelt
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. A. Brown	Mr. Hillyer	Mr. Shafer
Mr. G. Brown	Mr. Horton	Mr. Shepard
Mr. Burhans	Mr. Hough	Mr. D. Sibley
Mr. Burke	Mr. Jackson	Mr. M. H. Sibley
Mr. Barnum	Mr. Judd	Mr. Simmons
Mr. Burr	Mr. King	Mr. Speaker
Mr. Cadwell	Mr. Krum	Mr. Springer
Mr. Carpenter	Mr. T. Lewis	Mr. Stetson
Mr. Carr	Mr. Livingston	Mr. Stevens
Mr. Cash	Mr. Lockwood	Mr. E. Strong
Mr. A. Clark	Mr. Loomis	Mr. Suffern
Mr. C. Clark	Mr. Lytle	Mr. Thorn
Mr. J. Clark	Mr. Mallory	Mr. Tillinghast
Mr. Clinch	Mr. M'Cluer	Mr. Tomlinson
Mr. Coe	Mr. M'Kie	Mr. Tyrrel
Mr. Conklin	Mr. Moore	Mr. Waldron
Mr. Crary	Mr. Moseley	Mr. Wetmore
Mr. Crosby	Mr. Niles	Mr. Wheeler
Mr. Cuykendall	Mr. Odell	Mr. Wilcoxson
Mr. Davis	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Dayan	Mr. W. S. Paddock	Mr. Williams
Mr. Denniston	Mr. Palmer	Mr. Woodbury
Mr. Eldred	Mr. Parker	Mr. Woodward
Mr. Farwell	Mr. Patterson	Mr. A. Woodworth
Mr. Gray	Mr. Peck	Mr. W. Woodworth
Mr. Griswold	Mr. Pettit	Mr. Wylie

99

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have non-concurred with them in one of their said amendments, and concurred in the remainder, as the same are designated in the margin thereof respectively.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to submit to the people of this State a certain amendment of the Constitution."

Also the bill entitled "An act authorising the trustees of school district number ten in the city of Rochester, to sell a part of their school-house lot."

Also the bill entitled "An act authorising Isaac Peck and Elijah Peck to erect a dock in the town of Flushing in the county of Queens."

Also the bill entitled "An act in relation to bills of exchange and promissory notes."

Also the bill entitled "An act to incorporate the Delaware literary institute."

Also the bill entitled "An act to amend the act entitled 'An act to incorporate the East creek turnpike company.'"

Also the bill entitled "An act to incorporate the Kingston turnpike and rail-road company."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the New-Windsor and Cornwall turnpike company,' passed March 30th, 1809."

Also the bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Montgomery in the county of Orange,' passed April 11, 1817."

Also the bill entitled "An act relative to the court of general sessions of the county of Chautauque."

Also the bill entitled "An act to provide for the appointment of an additional special justice for preserving the peace in the city of New-York."

Also the bill entitled "An act authorising money to be raised by tax, to build a bridge across Shawangunk-kill in Ulster county."

Also the bill entitled "An act to incorporate the Dover and Union-Vale turnpike company."

Also the bill entitled "An act in relation to school district number thirteen in the town of Newburgh and county of Orange."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the Sag-Harbor and Bull's Head turnpike company,' passed April 29th, 1833."

Also the bill entitled "An act for the relief of Montgomery academy."

W. L. MARCY.

*Albany, April 23, 1835.*

A message from the Senate was read, informing that they have concurred with this House in its resolution of the sixth instant,

relative to the appointment of a joint committee to fix the day of adjournment, when amended so as to read as follows:

*Resolved*, (if the Assembly concur,) That this Legislature will adjourn on the fifth day of May next, at twelve o'clock at noon.

Thereupon,

*Resolved*, That this House do non-concur with the Senate in their said amendment.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of non-concurrence to the Senate.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

The engrossed bill from the Senate, entitled "An act in relation to the assessment of highway labor," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

{ AYES 89 }  
{ NAYS 10 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Peck
Mr. Beecher	Mr. Harvey	Mr. Pettit
Mr. Bennet	Mr. J. Haskell	Mr. Phillips
Mr. Blatchly	Mr. Healy	Mr. Philo
Mr. Brooks	Mr. Herttell	Mr. Plumb
Mr. A. Brown	Mr. Hicks	Mr. Powers
Mr. G. Brown	Mr. Hildreth	Mr. Preston
Mr. Burhans	Mr. Hiller	Mr. Rice
Mr. Burke	Mr. Hillyer	Mr. Roosevelt
Mr. Barnum	Mr. Horton	Mr. Shepard
Mr. Burr	Mr. Hough	Mr. D. Sibley
Mr. Cadwell	Mr. Jackson	Mr. M. H. Sibley
Mr. Carpenter	Mr. Judd	Mr. Simmons
Mr. Cash	Mr. King	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Springer
Mr. C. Clark	Mr. J. W. Lewis	Mr. Stetson
Mr. J. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. Clinch	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Thorn
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crain	Mr. Lytle	Mr. Tomlinson
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Wetmore



Mr. Crowell	Mr. M'Neil	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Williams
Mr. Denniston	Mr. Niles	Mr. Woodbury
Mr. Eldred	Mr. Odell	Mr. Woodward
Mr. Finch	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Gray	Mr. Palmer	Mr. Wylie

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Those who voted in the negative are

Mr. Cuykendall	Mr. Shafer	Mr. Waldron
Mr. Dayan	Mr. Stevens	Mr. Wilcoxson
Mr. M'Kie	Mr. Suffern	Mr. Wilkinson
Mr. Parker		

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to appoint commissioners to lay out a road through part of the town of Newtown in Queens county," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise the supervisors of the county of Chenango to raise money by tax on the taxable inhabitants of the town of Sherburne, to prepare a room for the use of said town," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act extending further privileges to the firemen of the respective cities within this State," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise the survey of canal routes from the Sacandaga branch of the Hudson river in Northampton, Montgomery county, to the Erie and Champlain canals," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

And then the House adjourned until four o'clock this afternoon.

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

On motion of Mr. Judd,

*Resolved*, That a committee of one from each Senate district be appointed, to select from the special orders, unfinished business, from bills on the table, those ready for a third reading, and those committed to a committee of the whole house, such bills of general

interest as in their opinion should be acted upon at the present session; and that all bills reported by said committee, when said reports are agreed to, shall have preference over all other bills before this House.

*Ordered*, That Mr. Judd, Mr. Hall, Mr. Wilcoxson, Mr. Tomlinson, Mr. Hough, Mr. Crain, Mr. Wilkinson and Mr. D. Sibley, be the said committee.

*Ordered*, That the committee of the whole be discharged from the consideration of the bill entitled "An act to amend article first of title first of chapter fifteenth of part first of the Revised Statutes," and that the same be referred to the committee on colleges, academies and common schools, to report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Ontario woollen manufacturing company," and that the same be referred to a select committee, consisting of Mr. M. H. Sibley, Mr. Hildreth and Mr. Hendee, to report complete.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany rail-road company,' passed April 17th, 1832;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to authorise the establishment of the New-York State lunatic asylum;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Tomlinson, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

And then the House adjourned until ten o'clock to-morrow morning.

FRIDAY, APRIL 24, 1835.

The House met pursuant to adjournment.

Mr. D. Sibley asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act for the incorporation of the Monroe mutual fire insurance company;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. D. Sibley made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. D. Sibley, and it was unanimously determined in the affirmative.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which was referred the bill entitled "An act to amend article first of title first of chapter fifteenth of part first of the Revised Statutes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Crain, from the select committee to which was referred the petition of D. M'Gregor and others of the county of Monroe, praying that an appeal may be allowed from the decision of the boards of excise, to the judges of the county courts, on the question of granting licenses to retail ardent spirits, reported, that in the opinion of the committee, the boards of excise in the several towns are the most proper tribunals to decide on the propriety of granting tavern and grocery licenses, and therefore recommend that the prayer of the petitioners be denied.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to incorporate the Watertown academy;" the engrossed bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22, 1831;" the engrossed bill entitled "An act to incorporate the Fishkill education society;" the engrossed bill entitled "An act authorising Felix Tracy to erect a dam across the Genesee river;" the engrossed bill entitled "An act to incorporate the Keeseville academy;" the engrossed bill entitled "An act to authorise the establishment of the New-York State lunatic asylum;" and the engrossed bill entitled "An act to revive and amend the act entitled 'An act to incorporate the New-York and Albany rail-road company,' passed April 17th, 1832," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Farwell, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act to vest certain additional powers in the supreme court commissioner appointed for the town of Whitehall in the county of Washington;" the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of the school fund;" the bill entitled "An act for the relief of Bates Cook;" the bill entitled "An act for the relief of Daniel Fowler;" the bill entitled "An act for the relief of purchasers of lots at Oneida Castleton;" the bill entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer,'" the bill entitled "An act to incorporate the village of Homer;" the bill entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of Brooklyn,'" and the bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act to vest certain additional powers in the supreme court commissioner appointed for the town of Whitehall in the county of Washington," be referred to a select committee, consisting of Mr. Moore, Mr. Livingston and Mr. Tomlinson; that the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of the school fund," be referred to a select committee, consisting of Mr. Palmer, Mr. Parker and Mr. Groom; that the bill entitled "An act for the relief of Bates Cook," be referred to a select committee, consisting of Mr. King, Mr. M'Neil and Mr. Moseley; that the bill entitled "An act for the relief of Daniel Fowler," be referred to a select committee, consisting of Mr. Shepard, Mr. Cadwell and Mr. Moseley; that the bill entitled "An act for the relief of purchasers of lots at Oneida Castleton," be referred to a select committee, consisting of Mr. King, Mr. Brooks and Mr. Shepard; that the bill entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer,'" be referred to a select committee, consisting of Mr. Springer, Mr. Griswold and Mr. Moore; that the bill entitled "An act to incorporate the village of Homer," be referred to a select committee, consisting of Mr. Niles, Mr. Burke and Mr. A. Brown; that the bill entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of Brooklyn,'" be referred to a select committee, consisting of Mr.

Rice, Mr. Clinch and Mr. Phillips; and that the bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead," be referred to a select committee, consisting of Mr. Jackson, Mr. Conklin and Mr. Phillips, to be by the said committees severally reported complete.

Six several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend the several acts relative to the village of Syracuse;" the bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 5th, 1834;" the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in the county of Kings, and for other purposes;" the bill entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton;" the bill entitled "An act to facilitate the proof of legal notices," and the bill entitled "An act authorising Marcus B. Osborne to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act relative to the inspection of flour and meal in the counties of Albany and Rensselaer."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on trade and manufactures, to consider and report thereon.

Mr. Roosevelt, from the committee on rail-roads, by the unanimous consent of the House, reported a bill, entitled "An act further to amend the act to incorporate the New-York and Erie rail-road company, passed April 24th, 1832;" which was read the first time, and by unanimous consent was also read a second time.

*Thereupon,*

Mr. Roosevelt made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Roosevelt, and it was unanimously determined in the affirmative.

The House then proceeded to the consideration of the report of the committee on two-third bills, on the bill entitled "An act concerning the assessment of taxes on incorporated companies;" the said report being that the said bill requires the votes of two-thirds of all the members elected to both branches of the Legislature, to pass the same into a law.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the negative.

*Thereupon,*

The said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

The engrossed bill entitled "An act to authorise the establishment of the New-York State lunatic asylum," was read the third time. *Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Syracuse fine salt company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 64 }  
{ NAYS 31 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hicks	Mr. Parker
Mr. Benjamin	Mr. Hildreth	Mr. Pettit
Mr. Bennet	Mr. Hiller	Mr. Philo
Mr. Blatchly	Mr. Hillyer	Mr. Powers
Mr. Brooks	Mr. Hough	Mr. Preston
Mr. A. Brown	Mr. Jackson	Mr. Seger
Mr. Burhans	Mr. Judd	Mr. Shepard
Mr. Burke	Mr. King	Mr. D. Sibley
Mr. Barnum	Mr. Krum	Mr. Simmons
Mr. Burr	Mr. Livingston	Mr. Speaker
Mr. Cadwell	Mr. Lockwood	Mr. Springer
Mr. Carpenter	Mr. Loomis	Mr. Stetson
Mr. A. Clark	Mr. Lytle	Mr. Stevens
Mr. C. Clark	Mr. Mallory	Mr. Tomlinson
Mr. Coe	Mr. M'Cluer	Mr. Tyrrel
Mr. Conklin	Mr. Moseley	Mr. Waldron
Mr. Crowell	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Fisher	Mr. W. S. Paddock	Mr. A. Woodworth
Mr. Griswold	Mr. Palmer	Mr. Wylie
Mr. Harvey		

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Those who voted in the negative are

Mr. Anthony	Mr. Gray	Mr. Phillips
Mr. G. Brown	Mr. Groom	Mr. Plumb
Mr. Carr	Mr. J. Haskell	Mr. Roosevelt
Mr. Cash	Mr. Healy	Mr. C. Strong
Mr. Clinch	Mr. Hendee	Mr. E. Strong
Mr. Crain	Mr. Herttell	Mr. Thorn
Mr. Crary	Mr. Horton	Mr. Tillinghast
Mr. Crosby	Mr. T. Lewis	Mr. Wetmore
Mr. Cuykendall	Mr. Patterson	Mr. Wheeler
Mr. Eldred	Mr. Peck,	Mr. Woodbury
Mr. Finch		

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Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act further to amend the act to incorporate the New-York and Erie rail-road company, passed April 24th, 1882," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

The engrossed bill from the Senate, entitled "An act to improve the navigation of the Albany basin," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said bill to inform them that this House have passed the same.

The engrossed bill entitled "An act to amend the council of the city of Hudson to lay out a city," was read the third time.

Mr. Speaker put the question whether the bill should pass to the final passage of the said bill, and it was affirmed, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Phillips
Mr. Anthony	Mr. J. Haskell	Mr. Philo
Mr. Benjamin	Mr. Healy	Mr. Plumb
Mr. Bennet	Mr. Hendee	Mr. Powers
Mr. Blatchly	Mr. Hertell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Rice
Mr. A. Brown	Mr. Hildreth	Mr. Roosevelt
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shafer
Mr. Burke	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Carr	Mr. Krum	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. Stevens
Mr. A. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tomlinson
Mr. Crosby	Mr. M'Cluer	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Niles	Mr. Wilcoxson

Mr. Eldred	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Gray	Mr. Patterson	Mr. A. Woodworth
Mr. Griswold	Mr. Peck	Mr. Wylie
Mr. Groom	Mr. Pettit	

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The engrossed bill entitled "An act authorising the building of two bridges over the Caderskill in the town of Catskill in the county of Greene," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act relative to the Chemung canal," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the supervisors of the county of Erie to raise money by tax, to build certain bridges," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to incorporate the Nassau academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Phillips
Mr. Benjamin	Mr. Harvey	Mr. Philo
Mr. Bennet	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Rice
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shafer
Mr. Burke	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong



Mr. C. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. Lockwood	Mr. Suffern
Mr. Coe	Mr. Loomis	Mr. Thorn
Mr. Conklin	Mr. Lytle	Mr. Tillinghast
Mr. Craia	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Cluer	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. P. W. Paddock	Mr. Williams
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodbury
Mr. Finch	Mr. Palmer	Mr. Woodward
Mr. Fisher	Mr. Parker	Mr. A. Woodworth
Mr. Gray	Mr. Patterson	Mr. Wylie

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch	Mr. Roosevelt	

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*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act relating to the support of paupers in the counties of St. Lawrence, Clinton and Franklin," was read the third time.

*Resolved*, That the bill be rejected.

The engrossed bill from the Senate, entitled "An act to extend and continue the charter of the Union furnace company in the town of Frankfort," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 87 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Anthony	Mr. Gray	Mr. Peck
Mr. Benjamin	Mr. Griswold	Mr. Pettit
Mr. Bennet	Mr. Groom	Mr. Phillips
Mr. Blatchly	Mr. Harvey	Mr. Philo
Mr. Brooks	Mr. Healy	Mr. Plumb
Mr. A. Brown	Mr. Hendee	Mr. Powers
Mr. G. Brown	Mr. Hicks	Mr. Preston
Mr. Burhans	Mr. Hildreth	Mr. Seger
Mr. Burke	Mr. Hiller	Mr. D. Sibley
Mr. Barnum	Mr. Hillyer	Mr. Simmons

Mr. Bury	Mr. Horton	Mr. Speaker
Mr. Cadwell	Mr. Hough	Mr. Springer
Mr. Carpenter	Mr. Jackson	Mr. Stetson
Mr. Cash	Mr. Judd	Mr. E. Strong
Mr. A. Clark	Mr. King	Mr. Saffern
Mr. C. Clark	Mr. Krum	Mr. Thorn
Mr. J. Clark	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Coe	Mr. T. Lewis	Mr. Tomlinson
Mr. Conklin	Mr. Lockwood	Mr. Tyrrel
Mr. Crain	Mr. Lytle	Mr. Waldron
Mr. Crary	Mr. Mallory	Mr. Wheeler
Mr. Crosby	Mr. M'Cluer	Mr. Wilcoxson
Mr. Crowell	Mr. Moseley	Mr. Wilkinson
Mr. Cuykendall	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodbury
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodward
Mr. Farwell	Mr. Pakner	Mr. A. Woodworth
Mr. Finch	Mr. Parker	Mr. Wylie 97

Those who voted in the negative are,

Mr. Clinch	Mr. Roosevelt	Mr. Wetmore
Mr. Herttell		

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill from the Senate, entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widows in Greenwich village in the city of New-York," with the engrossed amendment, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Phillips
Mr. Benjamin	Mr. J. Haskell	Mr. Philo
Mr. Bennet	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Herttell	Mr. Preston
Mr. A. Brown	Mr. Hicks	Mr. Rice
Mr. G. Brown	Mr. Hildreth	Mr. Roosevelt
Mr. Burhans	Mr. Hiller	Mr. Seger
Mr. Burke	Mr. Hillyer	Mr. Shepard

Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Burr	Mr. Hough	Mr. Simmons
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Judd	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetsón
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Lockwood	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tomlinson
Mr. Crosby	Mr. M'Cluer	Mr. Tyrrel
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Gray	Mr. Patterson	Mr. A. Woodworth
Mr. Griswold	Mr. Peck	Mr. Wylie 96

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendment therewith delivered.

The engrossed bill from the Senate, entitled "An act to incorporate the Syracuse academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Peck
Mr. Anthony	Mr. Griswold	Mr. Pettit
Mr. Beecher	Mr. Groom	Mr. Phillips
Mr. Benjamin	Mr. Harvey	Mr. Philo
Mr. Bennet	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Herttell	Mr. Preston
Mr. A. Brown	Mr. Hicks	Mr. Seger
Mr. G. Brown	Mr. Hildreth	Mr. Shepard
Mr. Burhans	Mr. Hiller	Mr. D. Sibley
Mr. Burke	Mr. Hillyer	Mr. Simmons
Mr. Barnum	Mr. Horton	Mr. Speaker
Mr. Burr	Mr. Hough	Mr. Springer

Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Clinch	Mr. Lockwood	Mr. Suffern
Mr. Coe	Mr. Loomis	Mr. Thorn
Mr. Conklin	Mr. Lytle	Mr. Tillinghast
Mr. Crain	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Cluer	Mr. Tyrrel
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Crowell	Mr. M'Neil	Mr. Wheeler
Mr. Cuykendall	Mr. Moore	Mr. Wilcoxson
Mr. Denniston	Mr. Moseley	Mr. Wilkinson
Mr. Eldred	Mr. Niles	Mr. Williams
Mr. Farwell	Mr. Odell	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. Wylie
Mr. Griswold		

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The engrossed bill entitled "An act to incorporate the Keesville academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Patterson
Mr. Anthony	Mr. Griswold	Mr. Peck
Mr. Barnes	Mr. Groom	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttell	Mr. Plumb
Mr. Brooks	Mr. Hicks	Mr. Powers
Mr. A. Brown	Mr. Hildreth	Mr. Preston
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Burke	Mr. Horton	Mr. D. Sibley
Mr. Barnum	Mr. Hough	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Carr	Mr. Krum	Mr. Stevens
Mr. Cash	Mr. J. W. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. C. Clark	Mr. Livingston	Mr. Suffern
Mr. J. Clark	Mr. Lockwood	Mr. Thorn

Mr. Coe	Mr. Loomis	Mr. Tillinghast
Mr. Conklin	Mr. Lytle	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Waldron
Mr. Crosby	Mr. M'Neil	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Denniston	Mr. Niles	Mr. Williams
Mr. Eldred	Mr. Odell	Mr. Woodbury
Mr. Farwell	Mr. W. S. Paddock	Mr. Woodward
Mr. Finch	Mr. Palmer	Mr. Wylie
Mr. Fisher	Mr. Parker	

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Those who voted in the negative are

Mr. Harvey	Mr. Roosevelt	Mr. Wetmore	3
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The engrossed bill entitled "An act relative to the trustees of Union society of the town of Somers in the county of Westchester, and the wardens and vestry of St. Luke's church of said town," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Peck
Mr. Anthony	Mr. Harvey	Mr. Pettit
Mr. Barnes	Mr. J. Haskell	Mr. Phillips
Mr. Benjamin	Mr. Healy	Mr. Philo
Mr. Bennet	Mr. Hendee	Mr. Plumb
Mr. Blatchly	Mr. Herttell	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Roosevelt
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Burke	Mr. Horton	Mr. D. Sibley
Mr. Barnum	Mr. Hough	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Carr	Mr. Krum	Mr. Stevens
Mr. Cash	Mr. J. W. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. C. Clark	Mr. Livingston	Mr. Suffern
Mr. J. Clark	Mr. Lockwood	Mr. Thorn

Mr. Coe	Mr. Loomis	Mr. Tillinghast
Mr. Crain	Mr. Lytle	Mr. Tomlinson
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Waldron
Mr. Crowell	Mr. M'Kie	Mr. Wetmore
Mr. Cuykendall	Mr. M'Neil	Mr. Wheeler
Mr. Denniston	Mr. Moore	Mr. Wilcoxson
Mr. Eldred	Mr. Moseley	Mr. Wilkinson
Mr. Farwell	Mr. Niles	Mr. Williams
Mr. Finch	Mr. Odell	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. Woodward
Mr. Gray	Mr. Parker	Mr. Wylie
Mr. Griswold	Mr. Patterson	

98

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend an act to incorporate the Society for the relief of orphan and destitute children in the city of Albany, passed March 30th, 1831," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Pettit
Mr. Barnes	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Herttell	Mr. Plumb
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Roosevelt
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burhans	Mr. Hough	Mr. Shafer
Mr. Burke	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Judd	Mr. D. Sibley
Mr. Burr	Mr. King	Mr. Simmons
Mr. Cadwell	Mr. Krum	Mr. Speaker
Mr. Carpenter	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. T. Lewis	Mr. Stetson
Mr. A. Clark	Mr. Livingston	Mr. Stevens
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. Loomis	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Suffern
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crain	Mr. M'Cluer	Mr. Tillinghast

Mr. Crary  
Mr. Crosby  
Mr. Crowell  
Mr. Cuykendall  
Mr. Denniston  
Mr. Eldred  
Mr. Farwell  
Mr. Finch  
Mr. Fisher  
Mr. Gray  
Mr. Griswold  
Mr. Groom

Mr. McKie  
Mr. Moore  
Mr. Moseley  
Mr. Niles  
Mr. Odell  
Mr. P. W. Paddock  
Mr. W. S. Paddock  
Mr. Palmer  
Mr. Parker  
Mr. Patterson  
Mr. Peck

Mr. Tomlinson  
Mr. Tyrrel  
Mr. Waldron  
Mr. Wetmore  
Mr. Wheeler  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Williams  
Mr. Woodbury  
Mr. Woodward  
Mr. Wylie

97

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to authorise the establishment of the New-York State agricultural school," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Anthony  
Mr. Barnes  
Mr. Benjamin  
Mr. Bennet  
Mr. Blatchly  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown  
Mr. Burhans  
Mr. Burke  
Mr. Barnum  
Mr. Burr  
Mr. Cadwell  
Mr. Carpenter  
Mr. A. Clark  
Mr. C. Clark  
Mr. J. Clark  
Mr. Coe  
Mr. Conklin  
Mr. Craia  
Mr. Crary  
Mr. Crosby

Mr. Groom  
Mr. J. Haskell  
Mr. Healy  
Mr. Hendee  
Mr. Herttell  
Mr. Hicks  
Mr. Hildreth  
Mr. Hiller  
Mr. Hillyer  
Mr. Horton  
Mr. Hough  
Mr. Jackson  
Mr. King  
Mr. Krum  
Mr. T. Lewis  
Mr. Livingston  
Mr. Loomis  
Mr. Lytle  
Mr. Mallory  
Mr. M'Cluer  
Mr. M'Neil  
Mr. Moore

Mr. Pettit  
Mr. Phillips  
Mr. Philo  
Mr. Plumb  
Mr. Powers  
Mr. Preston  
Mr. Roosevelt  
Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. Simmons  
Mr. Speaker  
Mr. Springer  
Mr. Stetson  
Mr. Stevens  
Mr. C. Strong  
Mr. E. Strong  
Mr. Suffern  
Mr. Thorn  
Mr. Tillinghast  
Mr. Tomlinson  
Mr. Tyrrel

Mr. Cross	Mr. Moseley	Mr. Wetmore
Mr. Denniston	Mr. Niles	Mr. Wheeler
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Woodward
Mr. Gray	Mr. Patterson	Mr. Wylie
Mr. Griswold	Mr. Peck	

89

Those who voted in the negative are

Mr. Cuykendall	Mr. Judd	Mr. Odell	3
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*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to revive and continue in force an act entitled 'An act to incorporate the New-York marine dry dock company,' passed May 1st, 1834," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 81 }  
{ NAYS 13 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Groom	Mr. Palmer
Mr. Barnes	Mr. Healy	Mr. Parker
Mr. Bennet	Mr. Hendee	Mr. Patterson
Mr. Blatchly	Mr. Hildreth	Mr. Pettit
Mr. G. Brown	Mr. Hiller	Mr. Phillips
Mr. Burhans	Mr. Hillyer	Mr. Plumb
Mr. Burke	Mr. Horton	Mr. Powers
Mr. Barnum	Mr. Hough	Mr. Preston
Mr. Burr	Mr. Hutchinson	Mr. Seger
Mr. Cadwell	Mr. Jackson	Mr. Shepard
Mr. Carpenter	Mr. Judd	Mr. D. Sibley
Mr. Cash	Mr. King	Mr. Simmons
Mr. A. Clark	Mr. Krum	Mr. Speaker
Mr. C. Clark	Mr. J. W. Lewis	Mr. Springer
Mr. J. Clark	Mr. T. Lewis	Mr. Stetson
Mr. Coe	Mr. Livingston	Mr. Stevens
Mr. Conklin	Mr. Loomis	Mr. C. Strong
Mr. Crain	Mr. Lytle	Mr. E. Strong
Mr. Crary	Mr. Mallory	Mr. Suffern
Mr. Crosby	Mr. M'Cluer	Mr. Thorn
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Denniston	Mr. Moore	Mr. Waldron



Mr. Eldred	Mr. Moseley	Mr. Wheeler	
Mr. Farwell	Mr. Niles	Mr. Wilcoxson	
Mr. Finch	Mr. Odell	Mr. Williams	
Mr. Gray	Mr. P. W. Paddock	Mr. Woodbury	
Mr. Griswold	Mr. W. S. Paddock	Mr. Wylie	81

Those who voted in the negative are,

Mr. Benjamin	Mr. Cuykendall	Mr. Roosevelt	
Mr. Brooks	Mr. Fisher	Mr. Tillinghast	
Mr. A. Brown	Mr. J. Haskell	Mr. Wetmore	
Mr. Carr	Mr. Peck	Mr. Woodward	
Mr. Clinch			13

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have rejected the same.

The engrossed bill entitled "An act to incorporate the Saratoga academy and scientific institute," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Peck
Mr. Barnes	Mr. Harvey	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttell	Mr. Plumb
Mr. Brooks	Mr. Hildreth	Mr. Powers
Mr. A. Brown	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Hough	Mr. D. Sibley
Mr. Barnum	Mr. Hutchinson	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Cash	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. Livingston	Mr. Suffern
Mr. Coe	Mr. Lockwood	Mr. Thorn
Mr. Conklin	Mr. Lytle	Mr. Tillinghast
Mr. Crain	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Cluer	Mr. Tyrrel

Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Cuykendall	Mr. Moseley	Mr. Wilcoxson
Mr. Denniston	Mr. Niles	Mr. Wilkinson
Mr. Eldred	Mr. Odell	Mr. Williams
Mr. Farwell	Mr. P. W. Paddock	Mr. Woodbury
Mr. Finch	Mr. W. S. Paddock	Mr. Woodward
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. Wylie

96

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch	Mr. Roosevelt	

5

The engrossed bill entitled "An act to incorporate the Water-town academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Parker
Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Barnes	Mr. Harvey	Mr. Peck
Mr. Benjamin	Mr. Healy	Mr. Pettit
Mr. Bennet	Mr. Hendee	Mr. Phillips
Mr. Blatchly	Mr. Herttell	Mr. Philo
Mr. Brooks	Mr. Hicks	Mr. Plumb
Mr. A. Brown	Mr. Hildreth	Mr. Powers
Mr. G. Brown	Mr. Hiller	Mr. Preston
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Hutchinson	Mr. Simmons
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Judd	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetson
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Lockwood	Mr. Thorn
Mr. Crain	Mr. Loomis	Mr. Tillinghast
Mr. Crary	Mr. Lytle	Mr. Tomlinson
Mr. Crosby	Mr. Mallory	Mr. Tyrrel

Mr. Crowell	Mr. M'Cluer	Mr. Waldron
Mr. Cuykendall	Mr. M'Neil	Mr. Wheeler
Mr. Denniston	Mr. Moore	Mr. Wilcoxson
Mr. Eldred	Mr. Moseley	Mr. Wilkinson
Mr. Farwell	Mr. Niles	Mr. Williams
Mr. Finch	Mr. Odell	Mr. Woodbury
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodward
Mr. Gray	Mr. Palmer	Mr. Wylie

96

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch	Mr. Roosevelt	

5

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Albany rail-road company,' passed April 17th, 1832," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Peck
Mr. Barnes	Mr. Harvey	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttell	Mr. Plumb
Mr. Brooks	Mr. Hicks	Mr. Powers
Mr. A. Brown	Mr. Hildreth	Mr. Preston
Mr. G. Brown	Mr. Hiller	Mr. Roosevelt
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shepard
Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Hutchinson	Mr. Simmons
Mr. Cadwell	Mr. Jackson	Mr. Speaker
Mr. Carpenter	Mr. Judd	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetson
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tomlinson
Mr. Crosby	Mr. M'Cluer	Mr. Tyrrel

Mr. Crowell	Mr. M'Neil	Mr. Waldron
Mr. Cuykendall	Mr. Moore	Mr. Wheeler
Mr. Denniston	Mr. Moseley	Mr. Wilcoxson
Mr. Eldred	Mr. Niles	Mr. Wilkinson
Mr. Farwell	Mr. Odell	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. Wylie

96

Those who voted in the negative are

Mr. Clinch	Mr. J. W. Lewis	Mr. Woodward
Mr. J. Haskell	Mr. Wetmore	

5

The engrossed bill entitled "An act further to amend the act to incorporate the New-York and Erie rail-road company, passed April 24th, 1832," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Harvey	Mr. Peck
Mr. Barnes	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Herttell	Mr. Plumb
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Roosevelt
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Hough	Mr. D. Sibley
Mr. Barnum	Mr. Hutchinson	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Judd	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. A. Clark	Mr. Krum	Mr. C. Strong
Mr. C. Clark	Mr. J. W. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. Suffern
Mr. Coe	Mr. Livingston	Mr. Thorn
Mr. Conklin	Mr. Lockwood	Mr. Tillinghast
Mr. Crain	Mr. Loomis	Mr. Tomlinson
Mr. Crary	Mr. Lytle	Mr. Tyrrel
Mr. Crosby	Mr. Mallory	Mr. Waldron
Mr. Crowell	Mr. M'Cluer	Mr. Wheeler

Mr. Cuykendall	Mr. M'Neil	Mr. Wilcoxson
Mr. Denniston	Mr. Moore	Mr. Wilkinson
Mr. Eldred	Mr. Moseley	Mr. Williams
Mr. Farwell	Mr. Niles	Mr. Woodbury
Mr. Finch	Mr. Odell	Mr. Woodward
Mr. Fisher	Mr. P. W. Paddock	Mr. A. Woodworth
Mr. Gray	Mr. Palmer	Mr. Wylie
Mr. Griswold	Mr. Parker	

95

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Wetmore	8
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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act authorising the dissolution of the Masonic hall association in the city of New-York;" and the engrossed bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving a road passing through said towns;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

And then the House adjourned until four o'clock this afternoon.

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Shawangunk company," and that the same be referred to a select committee, consisting of Mr. Denniston, Mr. Cash and Mr. Eldred, to report complete.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to amend the act to incorporate the Utica and Schenectady rail-road company;" and after some time

spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 47 }  
{ NAYS 26 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Benjamin	Mr. Hildreth	Mr. Pettit
Mr. Brooks	Mr. Hillyer	Mr. Preston
Mr. A. Brown	Mr. Hutchinson	Mr. Roosevelt
Mr. G. Brown	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. King	Mr. D. Sibley
Mr. Cadwell	Mr. T. Lewis	Mr. M. H. Sibley
Mr. Carpenter	Mr. Livingston	Mr. Simmons
Mr. C. Clark	Mr. Loomis	Mr. Springer
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Tomlinson
Mr. Crain	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Wilkinson
Mr. Farwell	Mr. Moseley	Mr. Woodbury
Mr. Fisher	Mr. Odell	Mr. A. Woodworth
Mr. Gray	Mr. Parker	Mr. Wythe
Mr. Griswold	Mr. Patterson	

47

Those who voted in the negative are,

Mr. Barnes	Mr. Finch	Mr. Powers
Mr. Bennet	Mr. J. Haskell	Mr. C. Strong
Mr. Burhans	Mr. Healy	Mr. Suffern
Mr. Burr	Mr. Herttel	Mr. Thorn
Mr. Cash	Mr. Judd	Mr. Tillinghast
Mr. Conklin	Mr. J. W. Lewis	Mr. Wheeler
Mr. Crosby	Mr. M'Cluer	Mr. Williams
Mr. Denniston	Mr. W. S. Paddock	Mr. Woodward
Mr. Eldred	Mr. Phillips	

26

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the State prisons, and the employment of convicts confined therein;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the

said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the rights and competency of witnesses;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the several bills for the incorporation of companies for the construction of rail-roads; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Jackson, from the said committee, reported progress, and asked for leave to sit again.

Debates were had thereon; and while the same was under consideration, the House adjourned till ten o'clock to-morrow morning.

## SATURDAY, APRIL 25, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of the Niagara and Genesee Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

The House then proceeded to the consideration of the engrossed bill from the Senate, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts."

Thereupon,

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. Springer, from the committee on trade and manufactures, to which was referred the engrossed bill from the Senate, entitled "An act relative to the inspection of flour and meal in the counties of Albany and Rensselaer," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the negative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" and the engrossed bill entitled "An act to amend article first of title first of chapter fifteenth of part first of the Revised Statutes;" and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

Mr. Denniston, from the select committee to which was referred the bill entitled "An act to incorporate the Shawangunk company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Shepard, from the select committee to which was referred the bill entitled "An act for the relief of Daniel Fowler;" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to subject corporations to assessment for highway labor," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. M'Neil, from the select committee to which was referred the bill entitled "An act for the relief of Bates Cook," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Springer, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act authorising the appointment of a weigher and measurer for the town of Greenbush in the county of Rensselaer,'" reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. M. H. Sibley, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Ontario woollen manufacturing company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. King, from the select committee to which was referred the



bill entitled "An act for the relief of purchasers of lots at Oneida Castleton," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Moore, from the select committee to which was referred the bill entitled "An act to vest certain additional powers in the supreme court commissioners appointed for the town of Whitehall in the county of Washington," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Rice, from the select committee to which was referred the bill entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of New-York,' passed April 26th, 1832, to the city of Brooklyn," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Niles, from the select committee to which was referred the bill entitled "An act to incorporate the village of Homer," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Jackson, from the select committee to which was referred the bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Palmer, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of the school fund," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Judd, from the select committee appointed in pursuance of the resolution of this House of the twenty-third instant, to select from the business before the House, such bills as in their opinion the public interest required should be passed at the present session, which bills, (under the sanction of the House,) should have the preference over all other business, reported the following bills, to wit:

The bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829;" the bill entitled "An act in relation to the State prisons, and the employment of convicts confined therein;" the bill entitled "An act directing a loan for the construction of the Chenango canal;" the bill entitled "An act in relation to the Erie canal;" the bill entitled "An act in relation to the west branch feeder to the Chenango canal;" the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and the bill entitled "An act concerning the State hall."

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The House then proceeded to the consideration of the resolution reported by the select committee, proposing an amendment of the Constitution relative to the judiciary system; the same being amended, was again read, in the words following, to wit:

*Resolved*, That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen; and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the said Constitution, a majority of all the members elected to the Assembly voting in favor thereof:

#### *Proposed amendments.*

*First.* There shall be two additional justices of the supreme court.

*Second.* There shall be a superior court of the State of New-York, to consist of a chief justice, and four justices, any of whom may hold the court. The said justices shall hold their offices by the same tenuro as justices of the supreme court, and shall be members of the court for the trial of impeachments and the correction of errors. When a writ of error shall be brought on a judgment of the superior court, the justices of that court shall assign the reasons for their judgment; but shall not have a voice for its affirmance or reversal.

The supreme and superior courts, and the justices thereof, shall possess co-ordinate jurisdiction and powers in all cases; except that the superior court shall not have jurisdiction in cases of quo warranto, mandamus, prohibition, or writs of certiorari and error in criminal cases.

The justices of the supreme and superior courts, or some one of them, shall preside in courts of oyer and terminer and jail delivery; and shall hold circuit courts for the trial of all issues of fact, whether joined in the supreme or superior court. The seventh section of the fifth article of the Constitution shall apply to justices of the superior court. The office of circuit judge shall be abolished on the first day of May, 1837. So much of the Constitution as is inconsistent with these provisions, is hereby annulled.

Thereupon,

The first subdivision of the proposed amendments was again read, in the words following, to wit:

*First.* There shall be two additional justices of the supreme court.

Debates were had thereon; and the question being put whether the House would agree thereto, it was determined in the affirmative.

The second subdivision of the proposed amendments having been farther amended, was again read, in the words following, to wit:

*Second.* There shall be a superior court of the State of New-York, to consist of a chief justice and four justices; a majority of whom shall hold the court. The said justices shall hold their offices by the same tenure as justices of the supreme court, and shall be members of the court for the trial of impeachments and the correction of errors. When a writ of error shall be brought on a judgment of the superior court, the justices of that court shall assign the reasons for their judgment, but shall not have a voice for its affirmance or reversal.

Debates were had thereon; and the question being put whether the House would agree thereto, it was determined in the affirmative.

{ AYES 56 }  
{ NAYS 39 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. W. S. Paddock
Mr. Blatchly	Mr. Gray	Mr. Parker
Mr. Burhans	Mr. Griswold	Mr. Pettit
Mr. Burke	Mr. Hall	Mr. Phillips
Mr. Barnum	Mr. Herttell	Mr. Plumb
Mr. Burr	Mr. Hicks	Mr. Powers
Mr. Carpenter	Mr. Hough .	Mr. M. H. Sibley
Mr. Carr	Mr. Jackson	Mr. Speaker
Mr. A. Clark	Mr. Judd	Mr. Stetson
Mr. J. Clark	Mr. Krum	Mr. Thorn
Mr. Clinch	Mr. T. Lewis	Mr. Tomlinson
Mr. Conklin	Mr. Livingston	Mr. Wager
Mr. Crain	Mr. Loomis	Mr. Warren

Mr. Crosby	Mr. Lytle	Mr. Wetmore
Mr. Crowell	Mr. Mallory	Mr. Wheeler
Mr. Cuykendall	Mr. M'Cluer	Mr. Wilkinson
Mr. Denniston	Mr. Moore	Mr. Williams
Mr. Eldred	Mr. Niles	Mr. Woodbury
Mr. Finch	Mr. P. W. Paddock	

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Those who voted in the negative are

Mr. Anthony	Mr. J. Haskell	Mr. Patterson
Mr. Barnes	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Hendee	Mr. Richmond
Mr. Bennet	Mr. Hildreth	Mr. Roosevelt
Mr. Brooks	Mr. Hiller	Mr. Shepard
Mr. A. Brown	Mr. Hillyer	Mr. D. Sibley
Mr. G. Brown	Mr. Hutchinson	Mr. Simmons
Mr. Cadwell	Mr. King	Mr. Stevens
Mr. Cash	Mr. Lockwood	Mr. C. Strong
Mr. Coe	Mr. M'Neil	Mr. E. Strong
Mr. Crary	Mr. Moseley	Mr. Tillinghast
Mr. Groom	Mr. Odell	Mr. Tyrrel
Mr. Harvey	Mr. Palmer	Mr. Wylie

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The third subdivision of the proposed amendments being amended, was again read, in the words following, to wit:

The supreme and superior courts, and the justices thereof, shall possess co-ordinate jurisdiction and powers in all cases; except that the superior court shall not have jurisdiction in cases of quo warranto, mandamus, prohibition, or writs of certiorari and error in criminal cases, and shall have exclusive jurisdiction on writs of error to courts of common pleas.

Mr. Speaker put the question whether the House would agree thereto, and it was determined in the affirmative.

The remaining subdivision of the proposed amendments having been read and agreed to by the House, the said resolution and proposed amendments as amended, were read, in the words following, to wit:

*Resolved*, That the following amendments to the Constitution of this State be proposed, and referred to the Legislature next to be chosen; and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the said Constitution, a majority of all the members elected to the Assembly voting in favor thereof:

#### *Proposed Amendments.*

*First.* There shall be two additional justices of the supreme court:

*Second.* There shall be a superior court of the state of New-York, to consist of a chief justice and four justices; a majority of whom shall hold the court. The said justices may hold their offi-

ces by the same tenure as justices of the supreme court, and shall be members of the court for the trial of impeachments and the correction of errors. When a writ of error shall be brought on a judgment of the superior court, the justices of that court shall assign the reasons for their judgment, but shall not have a voice for its affirmance or reversal. The supreme and superior courts, and the justices thereof shall possess co-ordinate jurisdiction and powers in all cases, except that the superior court shall not have jurisdiction in cases of quo warranto, mandamus, prohibition, or writs of certiorari, and error in criminal cases, and shall have exclusive jurisdiction on writs of error to courts of common law. The justices of the supreme and superior courts, or some one of them, shall preside in courts of oyer and terminer and jail delivery, and shall hold circuit courts for the trial of all issues of fact, whether joined in the supreme or superior court. The seventh section of the fifth article of the constitution shall apply to justices of the superior court. The office of circuit judge shall be abolished on the first day of May, one thousand eight hundred and thirty-seven. So much of the constitution as is inconsistent with these provisions, is hereby annulled.

Mr. Speaker put the question whether the House would agree to the said resolution as amended, and it was determined in the affirmative.

*Ordered*, That the said resolution be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to provide for the erection of a jail and fire-proof clerk's office in the county of Kings, and for other purposes."

Also the bill entitled "An act authorising Marcus B. Osborne to erect and maintain a wharf and dock at Sag-Harbor in the county of Suffolk."

Also the bill entitled "An act to amend the several acts relative to the village of Syracuse."

Also the bill entitled "An act to facilitate the proof of legal notices."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the Payne's bridge company,' passed May 3, 1834."

Also the bill entitled "An act to authorise the supervisors of the county of Orleans to raise money to build a bridge across the Oak-orchard creek, at or near the head of Stillwater in the town of Carlton."

W. L. MARCY.

*Albany, April 25, 1835.*

A message from the Senate was read, informing that they have concurred with this House in its amendments to the bill entitled "An act to amend the act entitled 'An act to incorporate the pro-

prietors of the Albany water-works," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act for the relief of Jacob Gram," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate returned the bill entitled "An act to incorporate the village of Canastota."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have receded from their amendment, non-concurred in by this House, to the bill entitled "An act incorporating the village of Clyde in the county of Wayne."

*Ordered*, That the Clerk deliver the said bill to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend the act regulating suits on bills of exchange and promissory notes, passed April 25th, 1832."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to consider and report thereon.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That a committee of three be appointed, to consist of one member of the Senate and two members of the Assembly, to examine the accounts and vouchers of the Treasurer, pursuant to the provision of title four of chapter eight of the first part of the Revised Statutes; and in case of concurrence, that Mr. Lansing be of the said committee on the part of the Senate.

Thereupon,

*Resolved*, That this House do concur with the Senate in their said resolution.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

And then the House adjourned until ten o'clock on Monday morning next.

MONDAY, APRIL 27, 1835.

The House met pursuant to adjournment.

The remonstrance of sundry inhabitants of the village of Ulster in the county of Ulster, against any alteration of the Saugerties and Woodstock turnpike charter, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Essex, praying pecuniary aid in the construction of a road from Port Henry in the county of Essex, to Whitehall in the county of Washington, reported a bill, entitled "An act appropriating money to construct certain roads in the counties of Essex and Washington;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Jackson, from the committee on the erection and division of towns and counties, to which was referred the engrossed bill from the Senate, entitled "An act to erect a new town from parts of the towns of Vernon and Augusta in Oneida county, and of Smithfield and Lenox in Madison county, and to annex the same to the latter county," reported, that the committee have examined the said bill, and are of the opinion that the same ought not to be passed into a law.

*Ordered*, That the said bill be committed to a committee of the whole house.

Mr. King, from the committee on public lands, to which was referred the petition of Daniel T. and Thomas W. Newcomb, praying for the possession of certain lots of land in Platt's location in Clinton county, reported the following resolution:

*Resolved*, That the prayer of the petition of Daniel T. and Thomas W. Newcomb be denied, and that the petitioners have leave to withdraw the deeds and proof accompanying the petition.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

Mr. King, from the committee on public lands, to which was referred the petition of John A. Ferrell, reported; and offered the following resolution:

[See Document No. 392.]

*Resolved*, That it would be inexpedient to pass a special law for the benefit of John A. Ferrell, as he by petition prays should be done.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend article second, title fifth,

chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property,' with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of the seventeenth instant, relative to the presentation of a sword to Colonel William J. Worth.

Mr. King, from the committee on public lands, to which was referred the petition of John S. Quackenboss and others, heirs of Abraham D. Quackenboss, for bounty lands, with the report of the Commissioners of the Land-Office thereon, reported, that they have examined the facts set forth in the petition and the above named report, (Assembly Documents, No. 236,) and are of opinion that the right of Abraham D. Quackenboss to bounty lands has been satisfied; and they have directed their chairman to offer the following resolution:

*Resolved*, That the prayer of the petition of John S. Quackenboss and others, be denied.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the committee on grievances be discharged from the consideration of the petition of Asa Brown, praying remuneration for damages alleged to have been sustained by the overflowing of the waters of the Erie canal.

*Ordered*, That the committee on grievances be discharged from the consideration of the petition of Peter J. Enders, relative to the dam across the Schoharie creek in the town of Florida.

Mr. Adams, from the committee on grievances, to which was referred the petitions of Luther Pardee and John Beardslee, reported; and recommended that the petitioners have leave to withdraw their petitions.

[See Document No. 393.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Quackenboss, from the committee on trade and manufactures, in pursuance of the resolution of this House of the sixth of March, 1835, relative to the inspection of distilled spirits in the city of New-York, reported a bill, entitled "An act to amend the eleventh article of the second title of the seventeenth chapter of the first part of the Revised Statutes, relating to the inspection of distilled spirits;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.



Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the appointment of commissioners to lay out a road in the town of Pembroke in said county, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Cash, from the select committee to which was referred so much of the Governor's message as relates to the instruction of the blind, and the petition of the managers of the Institution for the blind in the city of New-York, praying for aid from the State, reported; and recommended that the said petition be printed.

[*See Document No. 394.*]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the negative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Collins, praying for the passage of a law authorising the correction of the record of a survey of a certain road through said town, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school monies;" the engrossed bill entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of New-York,' passed April 26th, 1832, to the city of Brooklyn;" the engrossed bill entitled "An act for the relief of purchasers of lots at Oneida Castleton;" the engrossed bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead," and the en-

grossed bill entitled "An act to incorporate the Napanock company," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of Daniel Fowler;" the engrossed bill entitled "An act to vest certain additional powers in the supreme court commissioner appointed for the town of Whitehall in the county of Washington;" the engrossed bill entitled "An act for the relief of Bates Cook," and the engrossed bill entitled "An act to incorporate the village of Homer," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the State prisons;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Rice, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

On motion of Mr. Cash,

*Resolved*, That this House will proceed, on the twenty-ninth instant, at twelve o'clock at noon, to the election of two members to constitute a committee on the part of this House to examine the Treasurer's accounts.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the State prisons;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Rice, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 73 }  
{ NAYS 14 }

The ayes and nays being required by ten members,

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Genesee, praying for the appointment of commissioners to lay out a road in the town of Pembroke in said county, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Cash, from the select committee to which was referred so much of the Governor's message as relates to the instruction of the blind, and the petition of the managers of the Institution for the blind in the city of New-York, praying for aid from the State, reported; and recommended that the said petition be printed.

[See Document No. 894.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the negative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the town of Collins, praying for the passage of a law authorising the correction of the record of a survey of a certain road through said town, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school monies;" the engrossed bill entitled "An act to extend the operation of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of New-York,' passed April 26th, 1832, to the city of Brooklyn;" the engrossed bill entitled "An act for the relief of purchasers of lots at Oncida Castleton;" the engrossed bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead," and the en-

**TUESDAY, APRIL 28, 1835.**

The House met pursuant to adjournment.

The petition of the mayor, aldermen and commonalty of the city of Rochester, praying for authority to levy a tax upon the inhabitants of said city, for the erection of a market, was read, and referred to a select committee, consisting of the members attending this House from the county of Monroe.

The petition of sundry inhabitants of the county of Jefferson, praying for authority to hold a special town meeting for the election of justices of the peace, was read, and referred to the committee on privileges and elections.

The petition of sundry inhabitants of the county of Niagara, praying for the incorporation of the Genesee Rail-Road Company, was read, and committed to the committee of the whole when on the bill upon that subject.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the towns of Cortland, Yorktown and Somers, praying for the appointment of commissioners to alter a certain road, reported a bill, entitled "An act to appoint commissioners to alter and straighten a road in Westchester county;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Herkimer, praying for the appointment of a superintendent of the road on the south side of the Mohawk river, between Utica and Schenectady, reported, that in the opinion of the committee, the prayer of the petition ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilkinson, from the select committee to which was referred the petition of sundry taxable inhabitants of the compact part of the city of Hudson, reported; and asked leave to introduce a bill.

[See Document No. 378.]

*Ordered.* That leave be given to bring in such bill.

Mr. Wilkinson, according to leave, brought in the said bill, entitled "An act to authorise the raising of money for the support of the Lancaster school of the city of Hudson;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Wilcoxson made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wilcoxson, and it was unanimously determined in the affirmative.

Mr. Judd asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act to amend an act entitled 'An act to incorporate the Dover and Union-Vale turnpike company,' passed April 23d, 1835;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Judd made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Judd, and it was unanimously determined in the affirmative.

Mr. Hall asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act in relation to the assessment and collection of taxes in the city of New-York;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on ways and means.

The House then proceeded to the consideration of the report of the select committee to which was referred the bill entitled "An act to subject corporations to assessment for highway labor;" the said report being, that the committee had gone through the said bill, made amendments thereto, and agreed to the same.

Debates were had thereon; and the question being put whether the House would agree with the committee in their report, it was determined in the affirmative.

*Ordered.* That the bill be engrossed.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the village of Canastota."

Also the bill entitled "An act for the relief of Jacob Cram."

W. L. MARCY.

*Albany, April 27, 1835.*

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Mount-Morris," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 103 }  
{ NAYS 00 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Patterson
Mr. Anthony	Mr. A. Hascall	Mr. Peck
Mr. Barnes	Mr. J. Haskell	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Phillips
Mr. Bennet	Mr. Hertfelt	Mr. Philo
Mr. Blatchly	Mr. Hicks	Mr. Plumb
Mr. Brooks	Mr. Hildreth	Mr. Powers
Mr. A. Brown	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Richmond
Mr. Burhans	Mr. Horton	Mr. Ringgold
Mr. Barnum	Mr. Hough	Mr. Seger
Mr. Burr	Mr. Ingersoll	Mr. Shafer
Mr. Cadwell	Mr. Jackson	Mr. Shepard
Mr. Carpenter	Mr. Judd	Mr. D. Sibley
Mr. Cash	Mr. Kent	Mr. M. H. Sibley
Mr. A. Clark	Mr. King	Mr. Simmons
Mr. C. Clark	Mr. Krum	Mr. Speaker
Mr. J. Clark	Mr. T. Lewis	Mr. Springer
Mr. Clinch	Mr. Lockwood	Mr. Stetson
Mr. Coe	Mr. Loomis	Mr. Stevens
Mr. Conklin	Mr. Lytle	Mr. E. Strong
Mr. Crain	Mr. Mellory	Mr. Suffern
Mr. Crary	Mr. M'Cluer	Mr. Thorn
Mr. Crosby	Mr. M'Kie	Mr. Tillinghast
Mr. Crowell	Mr. M'Neil	Mr. Tomlinson
Mr. Cuykendall	Mr. Moore	Mr. Wager
Mr. Davis	Mr. Moseley	Mr. Waldron
Mr. Dayan	Mr. Murphy	Mr. Wheeler
Mr. Denniston	Mr. Nilcs	Mr. Wilcoxson
Mr. Eldred	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. Woodward
Mr. Griswold	Mr. Parker	Mr. Wylie
Mr. Groom		

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Angelica," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read;

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Peck
Mr. Benjamin	Mr. Harvey	Mr. Pettit
Mr. Bennet	Mr. A. Hascall	Mr. Phillips
Mr. Blatchly	Mr. J. Haskell	Mr. Philo
Mr. Brooks	Mr. Hendee	Mr. Powers
Mr. A. Brown	Mr. Hicks	Mr. Preston
Mr. G. Brown	Mr. Hildreth	Mr. Rice
Mr. Burhans	Mr. Hiller	Mr. Richmond
Mr. Barnum	Mr. Hillyer	Mr. Ringgold
Mr. Burr	Mr. Horton	Mr. Seger
Mr. Cadwell	Mr. Hough	Mr. Shafer
Mr. Carpenter	Mr. Ingersoll	Mr. Shepard
Mr. Carr	Mr. Jackson	Mr. D. Sibley
Mr. Cash	Mr. Kent	Mr. M. H. Sibley
Mr. A. Clark	Mr. Krum	Mr. Simmons
Mr. C. Clark	Mr. T. Lewis	Mr. Speaker
Mr. J. Clark	Mr. Lockwood	Mr. Springer
Mr. Clinch	Mr. Loomis	Mr. Stetson
Mr. Coe	Mr. Lytle	Mr. Stevens
Mr. Conklin	Mr. Mallory	Mr. E. Strong
Mr. Crain	Mr. M'Cluer	Mr. Suffern
Mr. Crary	Mr. M'Neil	Mr. Thorn
Mr. Crosby	Mr. Moore	Mr. Tillinghast
Mr. Crowell	Mr. Moseley	Mr. Tomlinson
Mr. Cuykendall	Mr. Murphy	Mr. Wager
Mr. Davis	Mr. Niles	Mr. Waldron
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams
Mr. Finch	Mr. Palmer	Mr. Woodbury
Mr. Fisher	Mr. Parker	Mr. Wylie

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the village of Jordan," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. A. Hascall	Mr. Patterson
Mr. Barnes	Mr. J. Haskell	Mr. Peck
Mr. Benjamin	Mr. Hendee	Mr. Pettit
Mr. Bennet	Mr. Hicks	Mr. Phillips
Mr. Blatchly	Mr. Hildreth	Mr. Philo
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Burke	Mr. Ingersoll	Mr. Shafer
Mr. Barnum	Mr. Jackson	Mr. Shepard
Mr. Burr	Mr. Judd	Mr. D. Sibley
Mr. Cadwell	Mr. Kent	Mr. M. H. Sibley
Mr. Carpenter	Mr. King	Mr. Simmons
Mr. Carr	Mr. Krum	Mr. Speaker
Mr. Cash	Mr. T. Lewis	Mr. Springer
Mr. A. Clark	Mr. Lockwood	Mr. Stetson
Mr. C. Clark	Mr. Loomis	Mr. Stevens
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Clinch	Mr. Mallory	Mr. Suffern
Mr. Coe	Mr. M'Kie	Mr. Thorn
Mr. Conklin	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Van Bergen
Mr. Crosby	Mr. Moseley	Mr. Wager
Mr. Crowell	Mr. Murphy	Mr. Waldron
Mr. Cuykendall	Mr. Niles	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilcoxson
Mr. Farwell	Mr. Ostrom	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Wylie
Mr. Griswold		

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to authorize the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.



The Senate sent for concurrence, a bill entitled "An act regulating the weighing of merchandize in the city of New-York."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Judd made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Judd, and it was determined in the affirmative.

A message from the Senate was read, informing that they have concurred with this House in its amendments to the bill entitled "An act to incorporate an asylum for the relief of the children of poor widowers and widow in Greenwich village in the city of New-York," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

Five several messages from the Senate were read, informing that they have passed the bill entitled "An act to authorise the common council of the city of Hudson to lay out a public square in said city;" the bill entitled "An act to authorise the supervisors of the county of Chenango to raise money by tax on the taxable inhabitants of the town of Sherburne, to prepare a room for the use of said town;" the bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin;" the bill entitled "An act relative to the Chemung canal," and the bill entitled "An act to appoint commissioners to lay out a road 'through part of the town of Newtown in Queens county,' severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate returned the bill entitled "An act to incorporate the Sable iron company;" the bill entitled "An act to incorporate the Rochester water-works company;" the bill entitled "An act to incorporate the village of Fulton," and the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society."

*Ordered*, That the Clerk deliver the said bills to the Governor.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," and the bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peckskill," severally with the amendments therewith delivered.

The said bills and amendments were read.

*Ordered*, That the same be laid upon the table.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the West-Troy caoutchouc manufacturing company," with the amendments therewith delivered, one of the said amendments being to alter the title to "An act to incorporate the West-Troy India rubber manufacturing company."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 87 }  
{ NAYS 08 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Palmer
Mr. Anthony	Mr. A. Hascall	Mr. Parker
Mr. Barnes	Mr. Hendee	Mr. Pettit
Mr. Benjamin	Mr. Hicks	Mr. Phillips
Mr. Bennet	Mr. Hildreth	Mr. Philo
Mr. Blatchly	Mr. Hiller	Mr. Powers
Mr. Brooks	Mr. Hillyer	Mr. Preston
Mr. A. Brown	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Hutchinson	Mr. Shepard
Mr. Burke	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Barnum	Mr. Jackson	Mr. Simmons
Mr. Burr	Mr. Judd	Mr. Speaker
Mr. Cadwell	Mr. Kent	Mr. Springer
Mr. Carpenter	Mr. King	Mr. Stetson
Mr. Carr	Mr. Krum	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. Suffern
Mr. A. Clark	Mr. Lockwood	Mr. Thorn
Mr. J. Clark	Mr. Loomis	Mr. Tillinghast
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Van Bergen
Mr. Crary	Mr. M'Cluer	Mr. Wager
Mr. Crosby	Mr. M'Neil	Mr. Waldron
Mr. Cuykendall	Mr. Moore	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Wilcoxson
Mr. Farwell	Mr. Murphy	Mr. Wilkinson
Mr. Finch	Mr. Niles	Mr. Williams
Mr. Fisher	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. Ostrom	Mr. Wylie

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Those who voted in the negative are

Mr. Clinch	Mr. Richmond	Mr. E. Strong
Mr. J. Haskell	Mr. Ringgold	Mr. Wetmore
Mr. Patterson	Mr. D. Sibley	

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act relating to the Wallabout and Brooklyn toll-bridge company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Pettit
Mr. Anthony	Mr. Hendee	Mr. Phillips
Mr. Barnes	Mr. Herttell	Mr. Philo
Mr. Benjamin	Mr. Hicks	Mr. Powers
Mr. Benpet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hillyer	Mr. Ringgold
Mr. A. Brown	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hough	Mr. Shafer
Mr. Burhans	Mr. Hutchinson	Mr. Shepard
Mr. Barnum	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Cadwell	Mr. Jackson	Mr. Simmons
Mr. Carpenter	Mr. Judd	Mr. Speaker
Mr. Carr	Mr. Kent	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetson
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Clinch	Mr. Loomis	Mr. Suffern
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crary	Mr. M'Neil	Mr. Tomlinson
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Murphy	Mr. Waldron
Mr. Eldred	Mr. Niles	Mr. Wetmore
Mr. Farwell	Mr. Odell	Mr. Wheeler
Mr. Finch	Mr. Ostrom	Mr. Wilcoxson
Mr. Fisher	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Griswold	Mr. Palmer	Mr. Williams
Mr. Groom	Mr. Parker	Mr. Woodbury
Mr. A. Hascall	Mr. Patterson	Mr. Wyke

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Ordered, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 07 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Phillips
Mr. Anthony	Mr. Hendee	Mr. Philo
Mr. Barnes	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Seger
Mr. Brooks	Mr. Horton	Mr. Shafer
Mr. A. Brown	Mr. Hough	Mr. Shepard
Mr. G. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. Burhans	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Barnum	Mr. Jackson	Mr. Simmons
Mr. Cadwell	Mr. Judd	Mr. Speaker
Mr. Carpenter	Mr. Kent	Mr. Springer
Mr. Carr	Mr. King	Mr. Stetson
Mr. Cash	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Lockwood	Mr. E. Strong
Mr. J. Clark	Mr. Loomis	Mr. Suffern
Mr. Coe	Mr. Lytle	Mr. Tillinghast
Mr. Conklin	Mr. Mallory	Mr. Tomlinson
Mr. Crary	Mr. M'Neil	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Cuykendall	Mr. Moseley	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Wetmore
Mr. Eldred	Mr. Odell	Mr. Wheeler
Mr. Farwell	Mr. Ostrom	Mr. Wilcoxson
Mr. Finch	Mr. Palmer	Mr. Wilkinson
Mr. Fisher	Mr. Parker	Mr. Woodbury
Mr. Griswold	Mr. Peck	Mr. Wylie
Mr. Groom	Mr. Pettit	

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Those who voted in the negative are.

Mr. Clinch	Mr. W. S. Paddock	Mr. Ringgold
Mr. J. Haskell	Mr. Patterson	Mr. Thorn
Mr. Hertell		

*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to improve the inlet of the Cayuga lake," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Dover and Union-Vale turnpike company,' passed April 23d, 1835;" and the engrossed bill entitled "An act in relation to the State prisons," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

A copy of a resolution of the Senate was received and read, informing that they do adhere to their resolution of non-concurrence to the resolution of this House of the sixth instant, proposing the appointment of a joint committee to fix a day for the adjournment of the Legislature.

Thereupon, on motion of Mr. Herttell,

*Resolved*, (if the Senate concur,) That a committee of conference be appointed on the amendment of the Senate, which is the subject of disagreement between the two houses, to the resolution of this House of the 6th instant, relative to the appointment of a joint committee to fix upon a day of adjournment for the Legislature; and in case of concurrence, that Mr. Herttell, Mr. Patterson and Mr. Wager, be of the said committee on the part of this House.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

And then the House adjourned until four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Phillips, by the unanimous consent of the House, brought in a bill, entitled "An act confirming the election and classification of justices of the peace in the town of Brookhaven in the county of Suffolk;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Phillips made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Phillips, and it was determined in the affirmative.

*Ordered*, That the usual number of copies of the bill entitled "An act reducing the rate of interest to six per cent," be printed for the use of the Legislature.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the Erie canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Harvey, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the west branch feeder of the Chenango canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Harvey, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act directing a loan for the construction of the Chenango canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Harvey, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered*, That the said bill be laid upon the table.

And then the House adjourned until ten o'clock to-morrow morning.

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### WEDNESDAY, APRIL 29, 1835.

The House met pursuant to adjournment.

The petition of sundry inhabitants of the county of Warren, praying for the passage of an act prohibiting judgment for costs in certain cases, was read, and referred to the committee on the judiciary.

Mr. Adams, from the committee on grievances, to which was referred the petition of Nathan Paddock, reported; concluding that the committee are of the opinion that the prayer of the petitioner ought not to be granted.

[See Document No. 389.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Jackson, from the committee appointed in pursuance of the fifty-first rule of this House, to examine all bills committed to a committee of the whole, and to report such bills as in their unanimous opinion may with propriety be referred to select committees to report complete, reported the following bills as proper for such reference, to wit:

The bill entitled "An act in relation to public lands in the township of Chemung;" the bill entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy;" the bill entitled "An act to authorise Richard Udell to build a dock in the town of North-Hempstead, Queens county;" the bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne;" the bill entitled "An act authorising the supervisors of the county of Livingston to raise money to build a bridge in said county;" the bill entitled "An act to incorporate the Shamrock benevolent association of the State of New-York;" the bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek;" the bill entitled "An act to incorporate a fire company in the town of Haverstraw in the county of Rockland;" the bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," and the bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay."

Thereupon,

*Ordered*, That the committee of the whole be discharged from the consideration of the said several bills, and that the bill entitled "An act in relation to public lands in the township of Chemung," be referred to a select committee, consisting of Mr. Fisher, Mr. King and Mr. Bennet; that the bill entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy," be referred to a select committee, consisting of Mr. Springer, Mr. Griswold and Mr. Simmons; that the bill entitled "An act to authorise Richard Udell to build a dock in the town of North-Hempstead, Queens county," be referred to a select committee, consisting of Mr. Jackson, Mr. Phillips and Mr. Burhans; that the bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne," be referred to a select committee, consisting of Mr. Wylie, Mr. D. Sibley and Mr. Burhans; that the bill entitled "An act authorising the supervisors of the county of Livingston to raise money to build a bridge in said county," be referred to a select committee, consisting of Mr. Patterson, Mr. Tomlinson and Mr. Hutchinson; that the bill entitled "An act

to incorporate the Shamrock benevolent association of the State of New-York," be referred to a select committee, consisting of Mr. Rice, Mr. Williams and Mr. D. Sibley; that the bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek," be referred to a select committee, consisting of Mr. King, Mr. W. S. Paddock and Mr. Dayan; that the bill entitled "An act to incorporate a fire company in the town of Hverstraw in the county of Rockland," be referred to a select committee, consisting of Mr. Suffern, Mr. Van Bergen and Mr. Ingersoll; that the bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," be referred to a select committee, consisting of Mr. King, Mr. A. Hascall and Mr. Farwell; and that the bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay," be referred to a select committee, consisting of Mr. Chinch, Mr. Ringgold and Mr. Phillips, to be by the said committees severally reported complete.

Mr. King, from the select committee to which was referred the bill entitled "An act authorising a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to the Erie canal;" the engrossed bill entitled "An act for the incorporation of the Monroe mutual fire insurance company;" the engrossed bill entitled "An act confirming the election and classification of justices of the peace in the town of Brookhaven in the county of Suffolk," and the engrossed bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The House then proceeded to the consideration of the report of the committee of the whole on the engrossed bill from the Senate, entitled "An act directing a loan for the construction of the Chenango canal;" the said report being, that the committee had gone through the said bill, and agreed to the same without amendment.

Thereupon,

Mr. Adams made a motion that the House should agree to amend the report of the committee of the whole, by inserting the following as the fourth section of the said bill:

§ 4. Whenever the amount received for premiums on the stock issued by virtue of this act, and the act hereby amended, shall have been expended, and money shall be required to pay the interest according to the terms of the loans, such sum shall be paid out of the treasury; and the comptroller shall, on the happening of such



contingency, give notice to the several boards of supervisors of the several counties in this State, of the sum required to be levied upon each county to pay the interest accruing annually upon the said stock; and the sum required to be raised by each county, shall be assessed, levied, collected and paid into the treasury, in the manner required by chapter thirteen of the first part of the Revised Statutes; and all the provisions of said chapter, in relation to a state tax, shall apply to the tax authorised to be raised by this section.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Adams, it was determined in the negative.

{ NAYS 71 }  
{ AYES 19 }

The ayes and nays being required by ten members.

Those who voted in the negative are

Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Barnes	Mr. Harvey	Mr. Peck
Mr. Beecher	Mr. J. Haskell	Mr. Pettit
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttall	Mr. Powers
Mr. A. Brown	Mr. Hildreth	Mr. Preston
Mr. Burhans	Mr. Hillyer	Mr. Ringgold
Mr. Barnum	Mr. Hough	Mr. Seger
Mr. Burr	Mr. Ingersoll	Mr. Shepard
Mr. Carr	Mr. Jones	Mr. Simmons
Mr. C. Clark	Mr. Judd	Mr. Speaker
Mr. J. Clark	Mr. Kent	Mr. Springer
Mr. Coe	Mr. King	Mr. C. Strong
Mr. Crain	Mr. Krum	Mr. Suffern
Mr. Crary	Mr. J. W. Lewis	Mr. Thorn
Mr. Crowell	Mr. Livingston	Mr. Tomlinson
Mr. Davis	Mr. Lockwood	Mr. Van Bergen
Mr. Dayan	Mr. Loomis	Mr. Wager
Mr. Denniston	Mr. Lytle	Mr. Wetmore
Mr. Eldred	Mr. Moore	Mr. Wheeler
Mr. Finch	Mr. Murphy	Mr. Williams
Mr. Fisher	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. Ostrom	Mr. Wylie
Mr. Groom	Mr. Palmer	

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Those who voted in the affirmative are

Mr. Adams	Mr. Horton	Mr. Stetson
Mr. Brooks	Mr. Hutchinson	Mr. Stevens
Mr. G. Brown	Mr. Phillips	Mr. E. Strong
Mr. Conklin	Mr. Richmond	Mr. Tillinghast
Mr. Crosby	Mr. Shafer	Mr. Wilcoxson
Mr. Euykendall	Mr. D. Sibley	Mr. Wilkinson
Mr. Hicks		

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Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

Thereupon,

The said bill was ordered to a third reading.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act authorising Ward Hunter to establish a ferry between Peekskill and Haverstraw," and the bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill."

The said bills and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have concurred with them in their amendments to the said bills, and amended the same severally accordingly.

Two several messages from the Senate were read, informing that they have rejected the bill entitled "An act in relation to the boundaries of school district number two in the city of Rochester and county of Monroe," and the bill entitled "An act in relation to school district number one in the town of Salina."

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising the appointment of an additional supreme court commissioner for each of the counties of Onondaga and Chautauque," with the amendments therewith delivered, one of the said amendments being to alter the title to "An act authorising the appointment of an additional supreme court commissioner for the county of Chautauque."

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to Salmon river in the county of Oswego," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to enable the mayor, aldermen and commonalty of the city of Schenectady to supply the said city with pure and wholesome water for the extinguishment of fires, and other purposes," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. Harvey	Mr. Phillips
Mr. Barnes	Mr. J. Haskell	Mr. Philo
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Hicks	Mr. Preston
Mr. Bennet	Mr. Hildreth	Mr. Rice
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. Brasher	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Hutchinson	Mr. Shafer
Mr. G. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Jones	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. Carr	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Clinch	Mr. Loomis	Mr. Suffern
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. M'Neil	Mr. Tillinghast
Mr. Crain	Mr. Moore	Mr. Tomlinson
Mr. Crary	Mr. Moseley	Mr. Van Bergen
Mr. Crosby	Mr. Murphy	Mr. Wager
Mr. Crowell	Mr. Niles	Mr. Waldron
Mr. Cuykendall	Mr. Odell	Mr. Wheeler
Mr. Davis	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. Palmer	Mr. Wilkinson
Mr. Eldred	Mr. Parker	Mr. Williams
Mr. Finch	Mr. Patterson	Mr. Woodbury
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Griswold		

100

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Keeseville academy," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Phillips
Mr. Anthony	Mr. Harvey	Mr. Philo
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Hicks	Mr. Preston
Mr. Benjamin	Mr. Hildreth	Mr. Rice
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Blatchly	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Hutchinson	Mr. Shafer
Mr. G. Brown	Mr. Ingersoll	Mr. Shepard
Mr. Burhans	Mr. Jackson	Mr. D. Sibley
Mr. Barnum	Mr. Jones	Mr. M. H. Sibley
Mr. Burr	Mr. Judd	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. Carr	Mr. King	Mr. Springer
Mr. Cash	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Conklin	Mr. Lytle	Mr. Thorn
Mr. Crain	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Moseley	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Davis	Mr. Odell	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. Palmer	Mr. Wilkinson
Mr. Eldred	Mr. Patterson	Mr. Williams
Mr. Finch	Mr. Peck	Mr. Woodbury
Mr. Fisher	Mr. Pettit	Mr. Wyllie
Mr. Griswold		

98

Those who voted in the negative are

Mr. Clinch                      Mr. J. Haskell

2

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Mr. Springer, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to incorporate the Sixth ward benevolent society of the city of Troy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to

the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Patterson, from the select committee to which was referred the bill entitled "An act to authorise the supervisors of the county of Livingston to raise money to build bridges in said county," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

Mr. Phillips, from the select committee to which was referred the bill entitled "An act to authorise Richard Udall to build a dock in the town of North-Hempstead, Queens county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered.* That the bill be engrossed.

The engrossed bill entitled "An act in relation to the State prisons," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

{ AYES 75 }  
{ NAYS 26 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Phillips
Mr. Anthony	Mr. Groom	Mr. Preston
Mr. Barnes	Mr. Harvey	Mr. Richmond
Mr. Benjamin	Mr. Hendee	Mr. Seger
Mr. Bennet	Mr. Hildreth	Mr. Shafer
Mr. Blatchly	Mr. Hillyer	Mr. Shepard
Mr. Brooks	Mr. Hough	Mr. D. Sibley
Mr. A. Brown	Mr. Hutchinson	Mr. M. H. Sibley
Mr. G. Brown	Mr. Ingersoll	Mr. Simmons
Mr. Burhans	Mr. Jackson	Mr. Springer
Mr. Barnum	Mr. Jones	Mr. Stetson
Mr. Cadwell	Mr. King	Mr. Stevens
Mr. Cash	Mr. T. Lewis	Mr. C. Strong
Mr. A. Clark	Mr. Livingston	Mr. E. Strong
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Thorn
Mr. Coe	Mr. M'Neil	Mr. Tillinghast

Mr. Conklin	Mr. Moore	Mr. Tomlinson
Mr. Crain	Mr. Moseley	Mr. Van Bergen
Mr. Crosby	Mr. Murphy	Mr. Wager
Mr. Crowell	Mr. Niles	Mr. Wilcoxson
Mr. Cuykendall	Mr. Parker	Mr. Wilkinson
Mr. Denniston	Mr. Patterson	Mr. Williams
Mr. Eddred	Mr. Peck	Mr. Woodbury
Mr. Fisher	Mr. Pettit	Mr. Wyke

75

Those who voted in the negative are

Mr. Beecher	Mr. Herttell	Mr. Palmer
Mr. Burr	Mr. Hicks	Mr. Powers
Mr. Carr	Mr. Horton	Mr. Rice
Mr. Clinch	Mr. Judd	Mr. Ringgold
Mr. Crary	Mr. Krum	Mr. Speaker
Mr. Davis	Mr. J. W. Lewis	Mr. Waldron
Mr. Dayan	Mr. Lockwood	Mr. Wetmore
Mr. Finch	Mr. Odell	Mr. Wheeler
Mr. J. Haskell	Mr. Ostrom	

25

*Ordered.* That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The House then proceeded to choose by ballot, two members of the committee to examine the accounts and vouchers of the Treasurer; and the ballots having been taken and counted, it appeared that no one had a majority of all the votes.

The House then proceeded to a second ballot; and the ballots having been taken and counted, it appeared that Mr. Denniston was duly elected.

The House then proceeded to a third ballot; and the ballots having been taken and counted, it appeared that no person had a plurality of all the votes.

The House then proceeded to a fourth ballot; and the ballots having been taken and counted, it appeared that Mr. Dayan was duly elected.

Thereupon,

*Resolved.* That Mr. Denniston and Mr. Dayan be of the committee on the part of this House, to examine the Treasurer's books and accounts.

*Ordered.* That the Clerk deliver a copy of the preceding resolution to the Senate.

The engrossed bill from the Senate, entitled "An act directing a loan for the construction of the Chenango canal," was read the third time.

*Resolved.* That the bill do pass.

*Ordered.* That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act in relation to the Erie canal," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 86 }  
{ NAYS 16 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Hicks	Mr. Powers
Mr. Anthony	Mr. Hildreth	Mr. Preston
Mr. Beecher	Mr. Hillyer	Mr. Richmond
Mr. Benjamin	Mr. Horton	Mr. Ringgold
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Hutchinson	Mr. Shafer
Mr. G. Brown	Mr. Kent	Mr. Shepard
Mr. Cadwell	Mr. King	Mr. D. Sibley
Mr. Carr	Mr. Krum	Mr. M. H. Sibley
Mr. A. Clark	Mr. T. Lewis	Mr. Simmons
Mr. C. Clark	Mr. Livingston	Mr. Speaker
Mr. J. Clark	Mr. Lockwood	Mr. Springer
Mr. Clinch	Mr. Loomis	Mr. Stetson
Mr. Coe	Mr. Lytle	Mr. Stevens
Mr. Conklin	Mr. M'Neil	Mr. C. Strong
Mr. Crain	Mr. Moore	Mr. E. Strong
Mr. Crosby	Mr. Moseley	Mr. Suffern
Mr. Cuykendall	Mr. Murphy	Mr. Tillinghast
Mr. Dayan	Mr. Niles	Mr. Tomlinson
Mr. Denniston	Mr. Odeff	Mr. Wager
Mr. Eldred	Mr. P. W. Paddock	Mr. Waldron
Mr. Farwell	Mr. W. S. Paddock	Mr. Wetmore
Mr. Griswold	Mr. Palmer	Mr. Wheeler
Mr. Groom	Mr. Parker	Mr. Wilcoxson
Mr. Harvey	Mr. Patterson	Mr. Wilkinson
Mr. A. Hascall	Mr. Peck	Mr. Williams
Mr. J. Haskell	Mr. Pettit	Mr. Woodbury
Mr. Hendee	Mr. Phillips	Mr. Wylie
Mr. Herttell	Mr. Philo	

Those who voted in the negative are,

Mr. Barnes	Mr. Crowell	Mr. Ingersoll
Mr. Bennet	Mr. Davis	Mr. Jones
Mr. Blatchly	Mr. Finch	Mr. J. W. Lewis
Mr. Burhans	Mr. Fisher	Mr. Ostrom
Mr. Carpenter	Mr. Hiller	Mr. Thorn
Mr. Cash		

The engrossed bill entitled "An act to repeal the act therein mentioned," was read the third time.

**Resolved,** That the bill do pass.

The engrossed bill entitled "An act to incorporate the Fishkill education society," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Patterson
Mr. Anthony	Mr. A. Hascall	Mr. Peck
Mr. Beecher	Mr. J. Haskell	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Phillips
Mr. Bennet	Mr. Hicks	Mr. Philo
Mr. Blatchly	Mr. Hildreth	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. Burhans	Mr. Hillyer	Mr. Richmond
Mr. Barnum	Mr. Horton	Mr. Ringgold
Mr. Burr	Mr. Hutchinson	Mr. Seger
Mr. Cadwell	Mr. Ingersoll	Mr. Shafer
Mr. Carpenter	Mr. Jackson	Mr. Shepard
Mr. Cash	Mr. Jones	Mr. D. Sibley
Mr. A. Clark	Mr. Kent	Mr. M. H. Sibley
Mr. C. Clark	Mr. Krum	Mr. Simmons
Mr. J. Clark	Mr. J. W. Lewis	Mr. Speaker
Mr. Coe	Mr. T. Lewis	Mr. Springer
Mr. Conklin	Mr. Livingston	Mr. Stetson
Mr. Crary	Mr. Lockwood	Mr. E. Strong
Mr. Crosby	Mr. Loomis	Mr. Thorn
Mr. Crowell	Mr. LITTLE	Mr. Tillinghast
Mr. Davis	Mr. M'Neil	Mr. Tomlinson
Mr. Denniston	Mr. Moseley	Mr. Van Bergen
Mr. Eldred	Mr. Murphy	Mr. Wager
Mr. Farwell	Mr. Niles	Mr. Waldron
Mr. Finch	Mr. Odell	Mr. Wheeler
Mr. Fisher	Mr. Ostrom	Mr. Wilcoxson
Mr. Gray	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Griswold	Mr. Palmer	Mr. Woodbury
Mr. Groom	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Carr

1

**Ordered,** That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.



The engrossed bill from the Senate, entitled "An act to incorporate the Ontario woollen manufacturing company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. Harvey	Mr. Patterson
Mr. Barnes	Mr. A. Hascall	Mr. Peck
Mr. Beecher	Mr. Hendee	Mr. Pettit
Mr. Benjamin	Mr. Hicks	Mr. Philo
Mr. Bennet	Mr. Hildreth	Mr. Powers
Mr. Blatchly	Mr. Hiller	Mr. Preston
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. Seger
Mr. G. Brown	Mr. Hutchinson	Mr. Shafer
Mr. Burhans	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. Krum	Mr. Springer
Mr. A. Clark	Mr. J. W. Lewis	Mr. Stetson
Mr. C. Clark	Mr. T. Lewis	Mr. Stevens
Mr. J. Clark	Mr. Livingston	Mr. C. Strong
Mr. Coe	Mr. Lockwood	Mr. E. Stroug
Mr. Conklin	Mr. Loomis	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. M'Neil	Mr. Tomlinson
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Cuykendall	Mr. Murphy	Mr. Waldron
Mr. Davis	Mr. Niles	Mr. Wheeler
Mr. Denniston	Mr. Odell	Mr. Wilcoxson
Mr. Eldred	Mr. Ostrom	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Finch	Mr. W. S. Paddock	Mr. Woodbury
Mr. Fisher	Mr. Palmer	Mr. Wylie
Mr. Griswold		

97

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Herttell
Mr. Clinch		

4

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act confirming the election and classification of justices of the peace in the town of Brookhaven in the county of Suffolk," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act in relation to the west branch feeder of the Chenango canal;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Harvey, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act concerning the State hall;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to provide for the payment of Jacob Trumpbour for surveying the canals of this State;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Conklin, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Adonijah Carter," and the bill entitled "An act for the relief of the First Christian party of the Oneida Indians;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Conklin, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

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## THURSDAY, APRIL 30, 1835.

The House met pursuant to adjournment.

The memorial of sundry citizens, in behalf of the soldiers of the revolution, who are now citizens of this State, was read, and referred to a select committee, consisting of Mr. Herttell, Mr. Wetmore and Mr. Hall.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the counties of Dutchess and Putnam, praying for aid from the State, for the improvement of the road through the Highlands in Putnam county, reported; concluding, that in the opinion of the committee, the prayer of the petition ought not to be granted.

[See Document No. 391.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

*Ordered.* That the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, be discharged from the consideration of the petition for the appointment of commissioners to lay out a road from Buffalo to Bath in the county of Steuben; also the petition of sundry inhabitants of the county of Genesee, praying for the appointment of commissioners to lay out certain roads across the Tonawanda Indian reservation; also the petition of sundry inhabitants of the county of Herkimer, praying for the appointment of commissioners to lay out a road from Little-Falls to Fairfield; and also the petition of sundry inhabitants of the county of Allegany, praying for the passage of an act to authorise R. L. Townsend and Peleg Palmer to erect and maintain a dam across Genesee river.

Mr. Livingston, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act

to amend an act regulating suits on bills of exchange and promissory notes, passed April 25th, 1834," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Daniel Persons of the county of Tioga, praying relief in relief in relation to damages alleged to have been sustained by the waters of the Chemung canal, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Suffern, from the select committee to which was referred the bill entitled "An act to incorporate a fire company in the town of Haverstraw in the county of Rockland," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise Richard Udall to build a dock in the town of North-Hempstead, Queens county;" the engrossed bill entitled "An act to incorporate a fire company in the county of Rockland, town of Haverstraw;" the engrossed bill entitled "An act to subject corporations to assessment for highway labor;" the engrossed bill entitled "An act to authorise the raising of money for the support of the Lancaster school in the city of Hudson;" and the engrossed bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

*Ordered*, That the bill to incorporate the Susquehannah steam navigation company, be taken from the general order, and referred to a select committee, consisting of Mr. Fisher, Mr. Bennet and Mr. Healy, to report complete.

Mr. Moore, from the select committee to which was referred the petition of sundry inhabitants of the town of Franklinville in the county of Cattaraugus, praying for the passage of a law to raise money by tax, and to extend the time for the collection of taxes in said town, reported, that the petitioners ask for a law to raise by tax upon the town of Franklinville, the sum of two hundred dollars, which sum, over and above any means in the hands of the commissioners of highways, had been expended in the necessary

repairs of roads and bridges; that this application, in the opinion of the committee, ought to have been published in accordance with the requisitions of section first, title third, chapter seventh and part first of the Revised Statutes; and no evidence of such publication having been furnished the committee, they ask to be discharged from the farther consideration of said petition.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Rice, from the select committee to which was referred the bill entitled "An act to incorporate the Shamrock benevolent association," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Fisher, from the select committee to which was referred the bill entitled "An act in relation to the public lands in the township of Chemung," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of the twenty-eighth instant, and have appointed Mr. Livingston, Mr. Boardley and Mr. Tracy, of the committee of conference on the part of the Senate.

Mr. Wylie, from the select committee to which was referred the bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Soffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to the west branch feeder to the Chenango canal," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act concerning the State hall," was read the third time.

*Resolved*, That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the Manchester cotton manufacturing company," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House, Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. P. W. Paddock
Mr. Anthony	Mr. Groom	Mr. W. S. Paddock
Mr. Beecher	Mr. Hall	Mr. Patterson
Mr. Benjamin	Mr. A. Hascall	Mr. Phillips
Mr. Bennet	Mr. Healy	Mr. Philo
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Herttell	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Barnum	Mr. Horton	Mr. Shepard
Mr. Burr	Mr. Hough	Mr. D. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. M. H. Sibley
Mr. Cash	Mr. Ingersoll	Mr. Simmons
Mr. A. Clark	Mr. Jackson	Mr. Speaker
Mr. C. Clark	Mr. Jones	Mr. Springer
Mr. J. Clark	Mr. Judd	Mr. E. Strong
Mr. Coe	Mr. Kent	Mr. Suffern
Mr. Conklin	Mr. Krum	Mr. Tillinghast
Mr. Crain	Mr. Lockwood	Mr. Tomlinson
Mr. Cray	Mr. Loomis	Mr. Waldron
Mr. Crosby	Mr. Lytle	Mr. Warren
Mr. Cuykendall	Mr. Mallory	Mr. Wheeler
Mr. Davis	Mr. Moore	Mr. Wilkinson
Mr. Denniston	Mr. Moseley	Mr. Williams
Mr. Eldred	Mr. Murphy	Mr. Woodbury
Mr. Finch	Mr. Niles	Mr. W. Woodworth
Mr. Fisher	Mr. Odell	Mr. Wylie
Mr. Gray	Mr. Ostrom	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch		

4

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following; to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Rochester water-works company."

Also the bill entitled "An act to incorporate the village of Fulton."

Also the bill entitled "An act to appoint commissioners to lay out a road through part of the town of Newtown in Queens county."

Also the bill entitled "An act relative to the Chemung canal."

Also the bill entitled "An act to provide for the redemption of a part of the arsenal lot in the county of Franklin."

Also the bill entitled "An act to authorise the supervisors of the county of Chenango to raise money by tax on the taxable inhabitants of the town of Sherburne, to prepare a room for the use of said town."

Also the bill entitled "An act to incorporate the Sable iron company."

Also the bill entitled "An act to incorporate the Sailors' and Boatmen's friend society."

Also the bill entitled "An act to authorise the common council of the city of Hudson to lay out a public square in said city."

W. L. MARCY.

*Albany, April 29, 1835.*

A message from the Senate was read, informing that they have passed the bill entitled "An act relative to grants of land under water in the counties of Queens and Suffolk," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and amended by the House,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their said amendments as amended; and it was determined in the affirmative.

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, with the amendment thereto therewith delivered.

The Senate returned the bill entitled "An act to incorporate the West-Troy India rubber company."

**Ordered,** That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act to incorporate the Watertown academy," and the bill entitled "An act for the sale and conveyance to Solomon Davis of lot number thirty-one in the Two-mile tract in the county of Oneida," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have rejected the bill entitled "An act to authorise the survey of a canal route from the village of Binghamton to the village of Owego."

The Senate returned the bill entitled "An act to improve the inlet of the Cayuga lake;" the bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville;" the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property;'" the bill entitled "An act to incorporate the village of Mount-Morris;" the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company;" the bill entitled "An act relating to the Wallabout and Brooklyn toll-bridge company;" the bill entitled "An act to amend the act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cazenovia,' passed February 17th, 1810;" and the bill entitled "An act to incorporate the village of Clyde in the county of Wayne."

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Le Roy and Brockport M'Adam road company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Anthony  
Mr. Beecher  
Mr. Benjamin  
Mr. Bennet

Mr. Hall  
Mr. A. Hascall  
Mr. Healy  
Mr. Hendee  
Mr. Hertell

Mr. Patterson  
Mr. Pettit  
Mr. Phillips  
Mr. Philo  
Mr. Powers



Mr. Blatchly	Mr. Hicks	Mr. Preston
Mr. Brooks	Mr. Hildreth	Mr. Richmond
Mr. A. Brown	Mr. Hiller	Mr. Ringgold
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Cadwell	Mr. Hutchinson	Mr. D. Sibley
Mr. Carpenter	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Carr	Mr. Jackson	Mr. Simmons
Mr. Cash	Mr. Jones	Mr. Speaker
Mr. A. Clark	Mr. Judd	Mr. Springer
Mr. C. Clark	Mr. Kent	Mr. Stevens
Mr. J. Clark	Mr. King	Mr. C. Strong
Mr. Coe	Mr. T. Lewis	Mr. E. Strong
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Lockwood	Mr. Tillinghast
Mr. Crary	Mr. Loomis	Mr. Tomlinson
Mr. Crosby	Mr. Lytle	Mr. Waldron
Mr. Cuykendall	Mr. Mallory	Mr. Warren
Mr. Davis	Mr. M'Kie	Mr. Wetmore
Mr. Denniston	Mr. Moore	Mr. Wheeler
Mr. Farwell	Mr. Moseley	Mr. Wilcoxson
Mr. Finch	Mr. Murphy	Mr. Wilkinson
Mr. Fisher	Mr. Niles	Mr. Williams
Mr. Gray	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Groom	Mr. W. S. Paddock	Mr. Wylie 98

Those who voted in the negative are

Mr. Clinch	Mr. J. Haskell	Mr. Ostrom	3
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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	92	}
{	NAYS	02	}

**Those who voted in the affirmative are**

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Beecher	Mr. A. Hascall	Mr. Phillips
Mr. Benjamin	Mr. J. Haskell	Mr. Philo
Mr. Bennet	Mr. Hendee	Mr. Powers
Mr. Blatchly	Mr. Herttell	Mr. Preston
Mr. Brooks	Mr. Hicks	Mr. Richmond
Mr. A. Brown	Mr. Hildreth	Mr. Ringgold
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Burr	Mr. Hough	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. Simmons
Mr. Carpenter	Mr. Ingersoll	Mr. Speaker
Mr. Carr	Mr. Jackson	Mr. Springer
Mr. Cash	Mr. Jones	Mr. C. Strong
Mr. A. Clark	Mr. Judd	Mr. E. Strong
Mr. C. Clark	Mr. Kent	Mr. Suffern
Mr. Coe	Mr. Krum	Mr. Tillinghast
Mr. Conklin	Mr. Livingston	Mr. Tomlinson
Mr. Crain	Mr. Lockwood	Mr. Wakron
Mr. Crary	Mr. Loomis	Mr. Warren
Mr. Crosby	Mr. Lytle	Mr. Wetmore
Mr. Cuykendall	Mr. Mallory	Mr. Wheeler
Mr. Davis	Mr. Moore	Mr. Wilcoxson
Mr. Eldred	Mr. Moseley	Mr. Wilkinson
Mr. Farwell	Mr. Murphy	Mr. Williams
Mr. Finch	Mr. Niles	Mr. Woodbury
Mr. Fisher	Mr. Ostrom	Mr. W. Woodworth
Mr. Gray	Mr. P. W. Paddock	Mr. Wylie
Mr. Griswold		

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**Those who voted in the negative are**

Mr. Clinch	Mr. W. S. Paddock
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2

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Gilboa and Jefferson turnpike road company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
 { NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. P. W. Paddock
Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Beecher	Mr. Hall	Mr. Pettit
Mr. Benjamin	Mr. A. Hascall	Mr. Phillips
Mr. Bennet	Mr. Healy	Mr. Philo
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Ringgold
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Hutchinson	Mr. D. Sibley
Mr. Cadwell	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Carr	Mr. Jackson	Mr. Simmons
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. C. Clark	Mr. Judd	Mr. Springer
Mr. J. Clark	Mr. Kent	Mr. E. Strong
Mr. Coe	Mr. Krum	Mr. Suffern
Mr. Conklin	Mr. Livingston	Mr. Tillinghast
Mr. Crain	Mr. Lockwood	Mr. Waldron
Mr. Crary	Mr. Loomis	Mr. Warren
Mr. Crosby	Mr. Lytle	Mr. Wetmore
Mr. Cuykendall	Mr. Mallory	Mr. Wheeler
Mr. Davis	Mr. M'Kie	Mr. Wilcoxson
Mr. Denniston	Mr. Moore	Mr. Wilkinson
Mr. Eldred	Mr. Moseley	Mr. Williams
Mr. Farwell	Mr. Murphy	Mr. Woodbury
Mr. Finch	Mr. Niles	Mr. W. Woodworth
Mr. Fisher	Mr. Odell	Mr. Wylie
Mr. Gray	Mr. Ostrom	

89

Those who voted in the negative are

Mr. J. Haskell      Mr. W. S. Paddock

2

*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill from the Senate, entitled "An act to change the name of the Second Presbyterian congregational society in the town of Carmel in the county of Putnam," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Ostrom
Mr. Anthony	Mr. Hall	Mr. P. W. Paddock
Mr. Beecher	Mr. Harvey	Mr. W. S. Paddock
Mr. Benjamin	Mr. A. Hascall	Mr. Patterson
Mr. Bennet	Mr. J. Haskell	Mr. Philo
Mr. Blatchly	Mr. Healy	Mr. Powers
Mr. Brooks	Mr. Hendee	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Ringgold
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burham	Mr. Hillyer	Mr. Shepard
Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Barr	Mr. Hough	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. Simmons
Mr. Cash	Mr. Ingersoll	Mr. Speaker
Mr. A. Clark	Mr. Jackson	Mr. Springer
Mr. C. Clark	Mr. Jones	Mr. Stetson
Mr. J. Clark	Mr. Judd	Mr. Stevens
Mr. Coe	Mr. Kent	Mr. E. Strong
Mr. Conklin	Mr. King	Mr. Suffern
Mr. Crain	Mr. Krum	Mr. Tillinghast
Mr. Crary	Mr. Livingston	Mr. Tomlinson
Mr. Crosby	Mr. Lockwood	Mr. Wakren
Mr. Cuykendall	Mr. Loomis	Mr. Warren
Mr. Davis	Mr. Mallory	Mr. Wheeler
Mr. Denniston	Mr. M'Kie	Mr. Wilcoxson
Mr. Eldred	Mr. Moore	Mr. Wilkinson
Mr. Farwell	Mr. Moseley	Mr. Williams
Mr. Finch	Mr. Murphy	Mr. Woodbury
Mr. Fisher	Mr. Niles	Mr. W. Woodworth
Mr. Gray	Mr. Odell	Mr. Wylie
Mr. Griswold		

91

Those who voted in the negative are

Mr. Carr	Mr. Richmond	Mr. Wetmore
Mr. Clinch		

The engrossed bill from the Senate, entitled "An act to incorporate the Nichols and Tioga bridge company in the county of Tioga," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Beecher	Mr. Harvey	Mr. Phillips
Mr. Benjamin	Mr. A. Hascall	Mr. Philo
Mr. Bennet	Mr. Healy	Mr. Powers
Mr. Blatchly	Mr. Hendee	Mr. Preston
Mr. Brooks	Mr. Hildreth	Mr. Rice
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Ringgold
Mr. Burhans	Mr. Horton	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Burr	Mr. Hutchinson	Mr. Shepard
Mr. Cadwell	Mr. Ingersoll	Mr. D. Sibley
Mr. Carpenter	Mr. Jackson	Mr. M. H. Sibley
Mr. Cash	Mr. Jones	Mr. Simmons
Mr. A. Clark	Mr. Kent	Mr. Speaker
Mr. C. Clark	Mr. King	Mr. Springer
Mr. J. Clark	Mr. Krum	Mr. Stetson
Mr. Coe	Mr. T. Lewis	Mr. Stevens
Mr. Conklin	Mr. Livingston	Mr. E. Strong
Mr. Crain	Mr. Lockwood	Mr. Suffern
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crosby	Mr. Lytle	Mr. Tomlinson
Mr. Crowell	Mr. Mallory	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Neil	Mr. Waldron
Mr. Davis	Mr. Moore	Mr. Warren
Mr. Denniston	Mr. Moseley	Mr. Wheeler
Mr. Eldred	Mr. Murphy	Mr. Wilcoxson
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. Ostrom	Mr. W. Woodworth
Mr. Gray	Mr. P. W. Paddock	Mr. Wyhe
Mr. Griswold	Mr. W. S. Paddock	

98

Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch		

4

The engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the Lansingburgh dry dock and hydraulic company,' passed 15th April, 1826," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

[ASSEMBLY JOURNAL.] 100

{ AYES 97 }  
{ NAYS 63 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Parker
Mr. Anthony	Mr. Healy	Mr. Patterson
Mr. Beecher	Mr. Hendee	Mr. Pettit
Mr. Benjamin	Mr. Hildreth	Mr. Phillips
Mr. Bennet	Mr. Hiller	Mr. Philo
Mr. Blatchly	Mr. Hillyer	Mr. Powers
Mr. Brooks	Mr. Horton	Mr. Preston
Mr. A. Brown	Mr. Hough	Mr. Rice
Mr. G. Brown	Mr. Hutchinson	Mr. Richmond
Mr. Burhaus	Mr. Ingersoll	Mr. Ringgold
Mr. Barnum	Mr. Jackson	Mr. Seger
Mr. Burr	Mr. Jones	Mr. Shafer
Mr. Cadwell	Mr. Judd	Mr. Shepard
Mr. A. Clark	Mr. Kent	Mr. D. Sibley
Mr. C. Clark	Mr. King	Mr. M. H. Sibley
Mr. J. Clark	Mr. Krum	Mr. Simmons
Mr. Coe	Mr. T. Lewis	Mr. Speaker
Mr. Conklin	Mr. Livingston	Mr. Springer
Mr. Crain	Mr. Lockwood	Mr. Stetson
Mr. Crary	Mr. Louis	Mr. Stevens
Mr. Crosby	Mr. Lytle	Mr. E. Strong
Mr. Crowell	Mr. Mallory	Mr. Suffern
Mr. Cuykendall	Mr. M'Kie	Mr. Tillinghast
Mr. Davis	Mr. M'Neil	Mr. Tomlinson
Mr. Denniston	Mr. Moore	Mr. Van Bergen
Mr. Elfred	Mr. Moseley	Mr. Waldron
Mr. Farwell	Mr. Murphy	Mr. Warren
Mr. Finch	Mr. Niles	Mr. Wikoxson
Mr. Fisher	Mr. Odell	Mr. Wilkinson
Mr. Gray	Mr. Ostrom	Mr. Williams
Mr. Griswold	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Hall	Mr. W. S. Paddock	Mr. Wylie
Mr. Harvey		

97

Those who voted in the negative are,

Mr. Carr	Mr. Clinch	Mr. Wetmore	3
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and bill from the Senate, entitled "An act to amend 'An act to incorporate the Brooklyn lyceum,' " was introduced.

put the question whether the House would agree to the said bill, and it was determined in the affirmative of all the members elected to this House thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Phillips
Mr. Beecher	Mr. Healy	Mr. Philo
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Rice
Mr. Brooks	Mr. Hilyer	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. Ringgold
Mr. G. Brown	Mr. Hough	Mr. Seger
Mr. Burhans	Mr. Hutchinson	Mr. Shafer
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. Cash	Mr. Kent	Mr. Simmons
Mr. A. Clark	Mr. King	Mr. Speaker
Mr. C. Clark	Mr. Krum	Mr. Springer
Mr. J. Clark	Mr. T. Lewis	Mr. Stetson
Mr. Coe	Mr. Livingston	Mr. Stevens
Mr. Conklin	Mr. Lockwood	Mr. E. Strong
Mr. Crain	Mr. Loomis	Mr. Suffern
Mr. Crary	Mr. Lytle	Mr. Tillighast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Van Bergen
Mr. CaykendaH	Mr. M'Neil	Mr. Waldron
Mr. Davis	Mr. Moore	Mr. Warren
Mr. Denniston	Mr. Moseley	Mr. Wheeler
Mr. Eldred	Mr. Murphy	Mr. Wilcoxson
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Griswold	Mr. Patterson	Mr. Wylie
Mr. Hall		

07

Those who voted in the negative are

Mr. Carr

1

The engrossed bill from the Senate, entitled "An act relative to the inspection of flour and meal in the counties of Albany and Rensselaer," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill from the Senate, entitled "An act to incorporate the United States naval lyceum," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 97 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Patterson
Mr. Anthony	Mr. Harvey	Mr. Pettit
Mr. Beecher	Mr. A. Hascall	Mr. Phillips
Mr. Benjamin	Mr. Healy	Mr. Philo
Mr. Bennett	Mr. Hendee	Mr. Powers
Mr. Blatchly	Mr. Hildreth	Mr. Preston
Mr. Brooks	Mr. Hiffer	Mr. Rice
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horion	Mr. Ringgold
Mr. Barhans	Mr. Hough	Mr. Seger
Mr. Barnum	Mr. Hutchinson	Mr. Shafer
Mr. Burr	Mr. Ingersoll	Mr. Shepard
Mr. Cadwell	Mr. Jackson	Mr. D. Sibley
Mr. Cash	Mr. Jones	Mr. N. H. Sibley
Mr. A. Clark	Mr. Kent	Mr. Simmons
Mr. C. Clark	Mr. King	Mr. Speaker
Mr. J. Clark	Mr. Krum	Mr. Springer
Mr. Coe	Mr. T. Lewis	Mr. Stetson
Mr. Conklin	Mr. Livingston	Mr. Stevens
Mr. Crain	Mr. Lockwood	Mr. E. Strong
Mr. Crary	Mr. Loomis	Mr. Suffern
Mr. Crosby	Mr. Lytle	Mr. Tillinghast
Mr. Crowell	Mr. Mallory	Mr. Tourlinson
Mr. Cuykendall	Mr. M'Kie	Mr. Van Bergen
Mr. Davis	Mr. M'Neil	Mr. Waldron
Mr. Denniston	Mr. Moore	Mr. Warren
Mr. Eldred	Mr. Mosley	Mr. Wheeler
Mr. Farwell	Mr. Murphy	Mr. Wilcoxson
Mr. Finch	Mr. Niles	Mr. Wilkinson
Mr. Fisher	Mr. Odell	Mr. Woodbury
Mr. Gray	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Griswold	Mr. W. S. Paddock	Mr. Wylie
Mr. Groom		

97

Those who voted in the negative are

Mr. Carr

1

The engrossed bill from the Senate, entitled "An act regulating the weighing of merchandize in the city of New-York," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.



{ AYES 78 }  
{ NAYS 22 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. Pettit
Mr. Anthony	Mr. Griswold	Mr. Phillips
Mr. Beecher	Mr. Groom	Mr. Philo
Mr. Benjamin	Mr. Hall	Mr. Powers
Mr. Bennet	Mr. Harvey	Mr. Preston
Mr. Brooks	Mr. Healy	Mr. Rice
Mr. Burhans	Mr. Herttell	Mr. Ringgold
Mr. Barnum	Mr. Hicks	Mr. Seger
Mr. Cadwell	Mr. Hiller	Mr. Shafer
Mr. Cash	Mr. Ingersoll	Mr. Shepard
Mr. A. Clark	Mr. Jackson	Mr. Simunons
Mr. J. Clark	Mr. Jones	Mr. Speaker
Mr. Clinch	Mr. Judd	Mr. Springer
Mr. Coe	Mr. Kent	Mr. Stetson
Mr. Conklin	Mr. King	Mr. Stevens
Mr. Crain	Mr. Krum	Mr. Suffern
Mr. Crary	Mr. T. Lewis	Mr. Tillinghast
Mr. Crosby	Mr. Livingston	Mr. Wager
Mr. Crowell	Mr. Lockwood	Mr. Warren
Mr. Cuykendall	Mr. Lytle	Mr. Wetmore
Mr. Davis	Mr. Mallory	Mr. Wheeler
Mr. Dayan	Mr. Murphy	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Eldred	Mr. Ostrom	Mr. Williams
Mr. Finch	Mr. P. W. Paddock	Mr. Woodbury
Mr. Fisher	Mr. W. S. Paddock	Mr. Wylie

78

Those who voted in the negative are

Mr. Blatchly	Mr. Hillyer	Mr. Niles
Mr. A. Brown	Mr. Horton	Mr. Patterson
Mr. G. Brown	Mr. Hutchinson	Mr. Richmond
Mr. Carr	Mr. M'Kie	Mr. D. Sibley
Mr. C. Clark	Mr. M'Neil	Mr. E. Strong
Mr. J. Haskell	Mr. Moore	Mr. Tomlinson
Mr. Hendee	Mr. Moseley	Mr. Waldron
Mr. Hildreth		

22

*Ordered,* That the clerk return the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill entitled "An act authorising money to be raised by tax on certain towns in the county of Erie, for improving a road passing through said towns," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to amend the act entitled 'An act to incorporate the Washington county mutual insurance company.'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. W. S. Paddock
Mr. Anthony	Mr. Groom	Mr. Patterson
Mr. Beecher	Mr. Hall	Mr. Pettit
Mr. Benjamin	Mr. A. Hascall	Mr. Phillips
Mr. Bennet	Mr. Healy	Mr. Philo
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Barnum	Mr. Horton	Mr. Shafer
Mr. Burr	Mr. Hough	Mr. Shepard
Mr. Cadwell	Mr. Hutchinson	Mr. D. Sibley
Mr. Cash	Mr. Ingersoll	Mr. Simmons
Mr. A. Clark	Mr. Jackson	Mr. Speaker
Mr. C. Clark	Mr. Jones	Mr. Springer
Mr. J. Clark	Mr. Judd	Mr. Stetson
Mr. Coe	Mr. Kent	Mr. Stevens
Mr. Conklin	Mr. King	Mr. E. Strong
Mr. Crain	Mr. Krum	Mr. Suffern
Mr. Crary	Mr. T. Lewis	Mr. Tillinghast
Mr. Crosby	Mr. Livingston	Mr. Tomlinson
Mr. Crowell	Mr. Lockwood	Mr. Van Bergen
Mr. Cuykendall	Mr. Mallory	Mr. Wager
Mr. Davis	Mr. M'Kie	Mr. Waldron
Mr. Dayan	Mr. Moore	Mr. Warren
Mr. Denniston	Mr. Moseley	Mr. Wilcoxson
Mr. Eldred	Mr. Murphy	Mr. Wilkinson
Mr. Finch	Mr. Niles	Mr. Williams
Mr. Fisher	Mr. Odell	Mr. Woodbury
Mr. Gray	Mr. Ostrom	Mr. Wylie

03

Those who voted in the negative are

Mr. J. Haskell      Mr. Wheeler

2

**Ordered,** That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the village of Havana in the county of Tioga," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and, it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. W. S. Paddock
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Ringgold
Mr. Burhans	Mr. Horton	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Burr	Mr. Hutchinson	Mr. Shepard
Mr. Cadwell	Mr. Ingersoll	Mr. D. Sibley
Mr. Carpenter	Mr. Jackson	Mr. Simmons
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. C. Clark	Mr. Judd	Mr. Springer
Mr. J. Clark	Mr. Kent	Mr. Stetson
Mr. Clinch	Mr. King	Mr. Stevens
Mr. Coe	Mr. Krum	Mr. E. Strong
Mr. Conklin	Mr. T. Lewis	Mr. Saffern
Mr. Crain	Mr. Livingston	Mr. Tillinghast
Mr. Crary	Mr. Lockwood	Mr. Tomlinson
Mr. Crosby	Mr. Lytle	Mr. Van Bergen
Mr. Davis	Mr. Mallory	Mr. Wager
Mr. Dayan	Mr. M'Kie	Mr. Waldron
Mr. Denniston	Mr. Moore	Mr. Warren
Mr. Eldred	Mr. Moseley	Mr. Wheeler
Mr. Farwell	Mr. Murphy	Mr. Wilcoxson
Mr. Finch	Mr. Niles	Mr. Wilkinson
Mr. Fisher	Mr. Odell	Mr. Williams
Mr. Gray	Mr. Ostrom	Mr. Woodbury
Mr. Griswold	Mr. P. W. Paddock	Mr. Wylie

98

Those who voted in the negative are

Mr. J. Haskell

1

The engrossed bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. P. W. Paddock
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Beecher	Mr. Harvey	Mr. Pettit
Mr. Benjamin	Mr. A. Hascall	Mr. Phillips
Mr. Bennet	Mr. J. Haskell	Mr. Philo
Mr. Blatchly	Mr. Healy	Mr. Powers
Mr. G. Brown	Mr. Hendee	Mr. Preston
Mr. Burhans	Mr. Hicks	Mr. Richmond
Mr. Barnum	Mr. Hildreth	Mr. Ringgold
Mr. Burr	Mr. Hiller	Mr. Seger
Mr. Cadwell	Mr. Hillyer	Mr. Shafer
Mr. Cash	Mr. Horton	Mr. Shepard
Mr. A. Clark	Mr. Hough	Mr. D. Sibley
Mr. C. Clark	Mr. Hutchinson	Mr. Simmons
Mr. J. Clark	Mr. Ingersoll	Mr. Speaker
Mr. Clinch	Mr. Jackson	Mr. Springer
Mr. Coe	Mr. Jones	Mr. Stetson
Mr. Conklin	Mr. Judd	Mr. C. Strong
Mr. Crain	Mr. Kent	Mr. E. Strong
Mr. Crary	Mr. King	Mr. Suffern
Mr. Crosby	Mr. Krum	Mr. Tillinghast
Mr. Crowell	Mr. T. Lewis	Mr. Tomlinson
Mr. Cuykendall	Mr. Lockwood	Mr. Van Bergen
Mr. Davis	Mr. Lytle	Mr. Wager
Mr. Dayan	Mr. Mallory	Mr. Waldron
Mr. Denniston	Mr. M'Kie	Mr. Warren
Mr. Eldred	Mr. Moore	Mr. Wheeler
Mr. Farwell	Mr. Moseley	Mr. Wilcoxson
Mr. Finch	Mr. Murphy	Mr. Wilkinson
Mr. Fisher	Mr. Niles	Mr. Williams
Mr. Gray	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. Ostrom	Mr. Wylie

93

The engrossed bill entitled "An act authorising Felix Tracy to erect a dam across the Genesee river," was read the third time.

*Resolved.* That the bill do pass.

The engrossed bill entitled "An act to incorporate the Mutual fire insurance company of the county of Chautauque," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. P. W. Paddock
Mr. Anthony	Mr. Hall	Mr. W. S. Paddock
Mr. Beecher	Mr. A. Hascall	Mr. Patterson
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Hutchinson	Mr. D. Sibley
Mr. Cadwell	Mr. Ingersoll	Mr. Simmons
Mr. Cash	Mr. Jackson	Mr. Speaker
Mr. A. Clark	Mr. Jones	Mr. Springer
Mr. C. Clark	Mr. Judd	Mr. Stetson
Mr. Coe	Mr. Kent	Mr. E. Strong
Mr. Conklin	Mr. King	Mr. Suffern
Mr. Crain	Mr. Kruun	Mr. Tillinghast
Mr. Crary	Mr. T. Lewis	Mr. Tomlinson
Mr. Crosby	Mr. Livingston	Mr. Van Bergen
Mr. Cuykendall	Mr. Lockwood	Mr. Wager
Mr. Davis	Mr. Lytle	Mr. Wakron
Mr. Dayan	Mr. Mallory	Mr. Warren
Mr. Denniston	Mr. M'Kie	Mr. Wheeler
Mr. Eldred	Mr. Moore	Mr. Wilcoxson
Mr. Farwell	Mr. Moseley	Mr. Wilkinson
Mr. Finch	Mr. Murphy	Mr. Williams
Mr. Fisher	Mr. Niles	Mr. Woodbury
Mr. Gray	Mr. Odell	Mr. Wylie
Mr. Griswold		

91

Those who voted in the negative are

Mr. Clinch

Mr. J. Haskell

2

The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Dover and Union-Valle turnpike company,' passed April 23d, 1835," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

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affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 94 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. W. S. Paddock
Mr. Anthony	Mr. J. Haskell	Mr. Patterson
Mr. Beecher	Mr. Healy	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Phillips
Mr. Bennet	Mr. Hicks	Mr. Philo
Mr. Blatchly	Mr. Hildreth	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Seger
Mr. Burkans	Mr. Hough	Mr. Shafer
Mr. Barnum	Mr. Hutchinson	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jackson	Mr. Simmons
Mr. Cash	Mr. Jones	Mr. Speaker
Mr. A. Clark	Mr. Judd	Mr. Springer
Mr. C. Clark	Mr. Kent	Mr. Stetson
Mr. Coe	Mr. King	Mr. C. Strong
Mr. Conklin	Mr. Krum	Mr. E. Strong
Mr. Crain	Mr. T. Lewis	Mr. Suffern
Mr. Crary	Mr. Livingston	Mr. Tillinghast
Mr. Crosby	Mr. Lockwood	Mr. Tomlinson
Mr. Crowell	Mr. Lytle	Mr. Van Bergen
Mr. Cuykendall	Mr. Mallory	Mr. Wager
Mr. Dayan	Mr. M'Kie	Mr. Waldron
Mr. Denniston	Mr. Moore	Mr. Warren
Mr. Eldred	Mr. Moseley	Mr. Wheeler
Mr. Farwell	Mr. Murphy	Mr. Wilcoxson
Mr. Finch	Mr. Niles	Mr. Wilkinson
Mr. Fisher	Mr. Odell	Mr. Williams
Mr. Gray	Mr. Ostrom	Mr. Woodbury
Mr. Griswold	Mr. P. W. Paddock	Mr. Wylie
Mr. Groom		

94

The engrossed bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the village of Brockport,' passed April 6th, 1829," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. P. W. Paddock
Mr. Anthony	Mr. A. Hascall	Mr. Patterson
Mr. Beecher	Mr. J. Haskell	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttell	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Seger
Mr. Burhans	Mr. Hillyer	Mr. Shafer
Mr. Barnum	Mr. Horton	Mr. Shepard
Mr. Burr	Mr. Hough	Mr. D. Sibley
Mr. Cadwell	Mr. Hutchinson	Mr. Simmons
Mr. Cash	Mr. Ingersoll	Mr. Speaker
Mr. A. Clark	Mr. Jackson	Mr. Springer
Mr. C. Clark	Mr. Jones	Mr. Stetson
Mr. Clinch	Mr. Judd	Mr. C. Strong
Mr. Conklin	Mr. Kent	Mr. E. Strong
Mr. Crain	Mr. King	Mr. Suffern
Mr. Cray	Mr. Krum	Mr. Tillinghast
Mr. Crosby	Mr. T. Lewis	Mr. Tomlinson
Mr. Cuykendall	Mr. Livingston	Mr. Van Bergen
Mr. Davis	Mr. Lockwood	Mr. Wager
Mr. Dayan	Mr. Lytle	Mr. Waldron
Mr. Denniston	Mr. Mallory	Mr. Warren
Mr. Eldred	Mr. M'Kie	Mr. Wheeler
Mr. Farwell	Mr. Moore	Mr. Wilcoxson
Mr. Finch	Mr. Moseley	Mr. Wilkinson
Mr. Fisher	Mr. Murphy	Mr. Williams
Mr. Gray	Mr. Niles	Mr. Woodbury
Mr. Griswold	Mr. Odell	Mr. Wylie
Mr. Groom	Mr. Ostrom	

95

The engrossed bill entitled "An act to amend an act entitled 'An act to divide the town of Sompronius in the county of Cayuga,' so much as relates to the division of school monies," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of the purchasers of lots at Oneida Castleton," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Herttell, from the committee appointed on the part of this House, to confer with a committee appointed on the part of the Honorable the Senate, on the subject of the disagreement between

the two Houses, relative to the resolution of this House to appoint, if the Senate concur, a joint committee on the subject of fixing on a day for the adjournment of the Legislature, reported, that the joint committee of the Senate and Assembly have had the subject of the above mentioned difference under consideration, and have not been able to agree; and therefore recommend that this House adhere to their disagreement to the amendment of the Senate to the original resolution.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Herttell offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, (if the Senate concur.) That the Legislature will adjourn on the eleventh day of May next, at twelve o'clock at noon.

*Ordered*, That the said resolution be laid upon the table.

And then the House adjourned until four o'clock this afternoon.

---

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

*Ordered*. That the committee of the whole be discharged from the consideration of the engrossed bill from the Senate, authorising the laying out a road from Poughkeepsie to Pine-Plains, and that it be referred to a select committee, consisting of Mr. Anthony, Mr. Judd and Mr. Barnes, to report complete.

*Ordered*. That the committee of the whole be discharged from the further consideration of the engrossed bill from the Senate, for the erection of a new town out of parts of the towns of Augusta and Vernon in Oneida county, and the towns of Smithfield and Lenox in Madison county, and that the same be ordered to a third reading.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act directing the appointment of four inspectors of flour and meal for the city and county of New-York, and regulating the inspection thereof;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported, that the committee had disagreed to the first section and the enacting clause of the said bill; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

*Ordered*, That the said report be laid upon the table.

And then the House adjourned until ten o'clock to-morrow morning.



**FRIDAY, MAY 1, 1835.**

**The House met pursuant to adjournment.**

**Mr. Suffern**, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to provide for the construction of a rail-road from Utica to Syracuse;" the engrossed bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne;" the engrossed bill entitled "An act to authorise the supervisors of the county of Livingston to raise money to build bridges in said county;" the engrossed bill entitled "An act in relation to the public lands in the township of Chemung;" and the engrossed bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

**Mr. D. Sibley**, from the select committee to which was referred the petition of sundry manufacturers of flour in the city of Rochester, praying for the passage of an act relative to a uniform measure for bran and shorts in this State, reported a bill, entitled "An act to create and regulate a standard for measuring bran and shorts;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending this House from the county of Monroe, to report the same complete.

**Mr. D. Sibley**, from the select committee to which was referred the petition of the mayor and common council of the city of Rochester, praying for the passage of an act authorising a tax on the inhabitants of said city, reported a bill, entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of the members attending this House from the county of Monroe, to report the same complete.

**Mr. Springer**, from the select committee to which was referred the bill entitled "An act in relation to the measurement and inspection of lumber," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

**Mr. Fisher**, from the select committee to which was referred the bill entitled "An act to incorporate the Susquehanna steam navigation company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in

his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. King, from the select committee to which was referred the bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. Judd, from the committee of eight, appointed to select such bills of general interest as in their opinion should be acted upon at the present session, reported the following bills, to wit:

The bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb;" the bill entitled "An act to amend an act regulating suits on bills of exchange and promissory notes, passed April 25th, 1832;" the bill entitled "An act to subject corporations to assessment for highway labor;" the bill entitled "An act in relation to the Cohoes bridge company;" the engrossed resolution for altering the Constitution relative to the judiciary; the bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace;" the bill entitled "An act to extend the act in relation to the State hall, passed April 1st, 1834;" the several bills to provide for the construction of rail-roads; the bill entitled "An act to provide for the payment of Jacob Trumphour for surveying the canals of this State;" the bill entitled "An act for the relief of Holmes Hutchinson;" the bill entitled "An act for the relief of the First Christian party of Oneida Indians;" the bill entitled "An act for the relief of Adonijah Carter;" the bill entitled "An act to authorise the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes;" the bill entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts;" and the bill entitled "An act to amend the act relating to the militia and public defence."

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

A communication from A. B. Johnson was received and read, in the words following, to wit:

*Utica, April 27, 1835.*

The Hon. CHARLES HUMPHREY,  
*Speaker of the Assembly.*

SIR,

As chairman of an executive committee, I was honored, in the early part of your session, by communicating to you a survey and report, &c. of a ship canal from Lake Ontario to the Hudson. I am now requested by the highly respectable engineer, E. F. Johnson, esquire, to transmit to you his reply to certain strictures on

his report, made by Messrs. Jervis, Hutchinson and Mills, in a late communication to the Legislature.

As the conflicting views of the four scientific and acute individuals relate to measures of confessedly great national importance, the Legislature may deem the accompanying document not unworthy of consideration. Professing, however, no knowledge on the subject, I perform merely an official duty in placing the paper with you, subject to such a disposition of it as you may deem proper.

Believe me, with high respect,

Your very obedient servant,

A. B. JOHNSON, *Chairman of the  
Central Executive Committee, &c.  
to promote the said canal.*

Debates were had upon the subject of printing the usual number of copies of the reply referred to in the foregoing communication.

Mr. Speaker put the question whether the House would agree to print the usual number of copies of the said reply, and it was determined in the negative.

Five several messages from the Senate were read, informing that they have passed the bill entitled "An act to authorise the supervisors of the county of Erie to raise money by tax, to build certain bridges;" the bill entitled "An act relative to voluntary assignments of choses in action;" the bill entitled "An act authorising Curtis Peck to erect a wharf in the town of Rye in the county of Westchester;" the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county;" and the bill entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 20th, 1833, and to extend the time for organizing the same," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate returned the bill entitled "An act to incorporate the village of Jordan," and the bill entitled "An act to incorporate the village of Angelica."

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Owego.'"

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Fisher made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Fisher, and it was unanimously determined in the affirmative.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Westchester and Putnam insurance company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Philo
Mr. Bennet	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. Carpenter	Mr. Judd	Mr. Simmons
Mr. Cash	Mr. Kent	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. Springer
Mr. C. Clark	Mr. Krum	Mr. Stetson
Mr. J. Clark	Mr. T. Lewis	Mr. Stevens
Mr. Coe	Mr. Livingston	Mr. C. Strong
Mr. Conklin	Mr. Lockwood	Mr. E. Strong
Mr. Crain	Mr. Loomis	Mr. Suffern
Mr. Crary	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Waldron
Mr. Denniston	Mr. Moseley	Mr. Warren
Mr. Eldred	Mr. Murphy	Mr. Wilcoxson
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. Ostrom	Mr. Woodbury
Mr. Gray	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Griswold	Mr. W. S. Paddock	Mr. Wylie

99

Those who voted in the negative are,

Mr. Clinch	Mr. Roosevelt	Mr. Wheeler
Mr. Herttell	Mr. Wetmore	

5

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to provide for the payment of costs in certain cases." with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Mr. Hicks gave notice that he would hereafter ask leave to introduce a bill to abolish the office of notary public in cases therein mentioned.

The engrossed bill entitled "An act to incorporate the village of Homer," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. W. S. Paddock
Mr. Anthony	Mr. Griswold	Mr. Parker
Mr. Beecher	Mr. Groom	Mr. Patterson
Mr. Benjamin	Mr. Hall	Mr. Peck
Mr. Bennet	Mr. Healy	Mr. Pettit
Mr. Blatchly	Mr. Hendee	Mr. Phillips
Mr. Brooks	Mr. Hicks	Mr. Philo
Mr. G. Brown	Mr. Hildreth	Mr. Powers
Mr. Burhans	Mr. Hiller	Mr. Preston
Mr. Burke	Mr. Hillyer	Mr. Ringgold
Mr. Barnum	Mr. Horion	Mr. Roosevelt
Mr. Burr	Mr. Hough	Mr. Seger
Mr. Cadwell	Mr. Ingersoll	Mr. Shafer
Mr. Carpenter	Mr. Jackson	Mr. Shepard
Mr. Carr	Mr. Jones	Mr. D. Sibley
Mr. Cash	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. Springer
Mr. C. Clark	Mr. Krum	Mr. Stetson
Mr. J. Clark	Mr. Livingston	Mr. Stevens
Mr. Coe	Mr. Lockwood	Mr. E. Strong
Mr. Conklin	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Wager
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Crowell	Mr. M'Neil	Mr. Warren



Those who voted in the negative are

Mr. Carr  
Mr. J. Haskell

Mr. Roosevelt  
Mr. Wetmore

Mr. Wheeler

5

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," was read the third time.

Thereupon,

*Ordered*, That the said bill be recommitted to the select committee, consisting of Mr. T. Lewis, Mr. Parker and Mr. Gray, to report the same complete.

The engrossed bill from the Senate, entitled "An act to amend an act regulating suits on bills of exchange and promissory notes, passed April 25th, 1832," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to subject corporations to assessment for highway labor," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act in relation to the Cohoes bridge company," was read the third time.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Patterson, Mr. Wager and Mr. Dayan, to report the same complete.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Hertteli; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That this Legislature will adjourn on the eleventh day of May instant, at twelve o'clock at noon.

Mr. Cash made a motion that the House should agree to amend the said resolution, by striking out "eleventh," and inserting "seventh" in lieu thereof.

Debates were had thereon; and the motion being divided,

Mr. Speaker put the question whether the House would agree to strike out the word "eleventh," and it was determined in the negative.

{ NAYS 60 }  
{ AYES 46 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Griswold	Mr. Niles
Mr. Beecher	Mr. Hall	Mr. Odell
Mr. Benjamin	Mr. A. Hascall	Mr. Ostrom
Mr. Bennet	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Brooks	Mr. Healy	Mr. Patterson
Mr. G. Brown	Mr. Hendee	Mr. Peck
Mr. Burhans	Mr. Herttell	Mr. Pettit
Mr. Barnum	Mr. Hicks	Mr. Phillips
Mr. Burr	Mr. Hildreth	Mr. Ringgold
Mr. Cadwell	Mr. Hough	Mr. Seger
Mr. Carpenter	Mr. Jackson	Mr. M. H. Sibley
Mr. Clinch	Mr. Kent	Mr. Speaker
Mr. Conklin	Mr. King	Mr. Springer
Mr. Crain	Mr. Krum	Mr. Stevens
Mr. Cuykendall	Mr. Livingston	Mr. Suffern
Mr. Davis	Mr. Loomis	Mr. Wager
Mr. Dayan	Mr. Lytle	Mr. Wheeler
Mr. Eldred	Mr. Mallory	Mr. Wilcoxson
Mr. Farwell	Mr. Moseley	Mr. Wilkinson
Mr. Fisher	Mr. Murphy	Mr. Woodbury

Those who voted in the affirmative are

Mr. Anthony	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Roosevelt
Mr. A. Brown	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Ingersoll	Mr. D. Sibley
Mr. Cash	Mr. Jones	Mr. Simmons
Mr. A. Clark	Mr. Judd	Mr. Stetson
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. M'Kie	Mr. E. Strong
Mr. Coe	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. P. W. Paddock	Mr. Van Bergen
Mr. Crowell	Mr. Parker	Mr. Waldron
Mr. Denniston	Mr. Philo	Mr. Williams
Mr. Finch	Mr. Powers	Mr. W. Woodworth
Mr. Gray	Mr. Preston	Mr. Wylie
Mr. Groom		

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered,* That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

Mr. Livingston gave notice that he would hereafter ask leave to bring in a bill, to be entitled "An act allowing the United States, by its agents and officers, to enter upon, take and occupy such real



estate in the vicinity of the improvement of the navigation of the Hudson river, (authorised to be done by a law of the United States,) as may be necessary to effect such improvement."

And then the House adjourned till four o'clock this afternoon.

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Attica to Buffalo;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Brooks, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Saratoga-Springs to the town of Malta;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Brooks, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

*Ordered*, That Mr. Griswold, Mr. Springer and Mr. Beecher, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Auburn to Rochester;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Herttell, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Schenectady rail-road bill.

*Ordered*, That Mr. Cuykendall, Mr. M. H. Sibley and Mr. Gray, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Herttell, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That Mr. D. Sibley, Mr. E. Strong and Mr. G. Brown, be the said committee.

**Ordered,** That the bill entitled "An act to construct a rail-road in the town of Stafford in the county of Genesee," be referred to a select committee, consisting of Mr. T. Lewis, Mr. Richmond and Mr. Moseley, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Auburn to Ithaca," be referred to a select committee, consisting of Mr. Williams, Mr. Cuykendall and Mr. Woodbury, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Batavia to Lockport," be referred to a select committee, consisting of Mr. M'Neil, Mr. A. Clark and Mr. Wilkinson, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company," be referred to a select committee, consisting of Mr. Woodbury, Mr. Williams and Mr. Fisher, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Onondaga quarries to Syracuse," be referred to a select committee, consisting of Mr. Parker, Mr. Wilkinson and Mr. Pettit, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Greenbush to West-Stockbridge," be referred to a select committee, consisting of Mr. Livingston, Mr. Griswold and Mr. Wilcoxson, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Ballston-Spa to Galway corners," be referred to a select committee, consisting of Mr. Beecher, Mr. Philo and Mr. Springer, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Mechanicsville to Fort-Edward," be referred to a select committee, consisting of Mr. Stetson, Mr. Hicks and Mr. Beecher, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the Shawangunk company," and find the same correctly engrossed.

**Ordered,** That the said bill be laid upon the table.

**Ordered,** That the committee on privileges and elections be discharged from the consideration of the petition for a special town

meeting for the election of justices of the peace in the county of Jefferson, and that the same be committed to the committee of the whole when on the bill relative to the election and classification of justices of the peace.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the payment of Jacob Trumbour for surveying the canals of this State;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the First Christian party of Oneida Indians;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, MAY 2, 1835.

The House met pursuant to adjournment.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to provide for the construction of a railroad from Syracuse to the Onondaga stone quarries," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act creating a standard for measuring bran and shorts," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to provide for the construction of a rail-

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Philo
Mr. Bennet	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Richmond
Mr. G. Brown	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. Carpenter	Mr. Judd	Mr. Simmons
Mr. Cash	Mr. Kent	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. Springer
Mr. C. Clark	Mr. Krum	Mr. Stetson
Mr. J. Clark	Mr. T. Lewis	Mr. Stevens
Mr. Coe	Mr. Livingston	Mr. C. Strong
Mr. Conklin	Mr. Lockwood	Mr. E. Strong
Mr. Crain	Mr. Loomis	Mr. Suffern
Mr. Crary	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Van Bergen
Mr. Cuykendall	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Waldron
Mr. Denniston	Mr. Moseley	Mr. Warren
Mr. Eldred	Mr. Murphy	Mr. Wilcoxson
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. Ostrom	Mr. Woodbury
Mr. Gray	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Griswold	Mr. W. S. Paddock	Mr. Wylie

99

Those who voted in the negative are,

Mr. Clinch	Mr. Roosevelt	Mr. Wheeler
Mr. Herttell	Mr. Wetmore	

5

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to provide for the payment of costs in certain cases." with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Mr. Hicks gave notice that he would hereafter ask leave to introduce a bill to abolish the office of notary public in cases therein mentioned.

The engrossed bill entitled "An act to incorporate the village of Homer," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. W. S. Paddock
Mr. Anthony	Mr. Griswold	Mr. Parker
Mr. Beecher	Mr. Groom	Mr. Patterson
Mr. Benjamin	Mr. Hall	Mr. Peck
Mr. Bennet	Mr. Healy	Mr. Pettit
Mr. Blatchly	Mr. Hendee	Mr. Phillips
Mr. Brooks	Mr. Hicks	Mr. Philo
Mr. G. Brown	Mr. Hildreth	Mr. Powers
Mr. Burhans	Mr. Hiller	Mr. Preston
Mr. Burke	Mr. Hillyer	Mr. Ringgold
Mr. Barnum	Mr. Horton	Mr. Roosevelt
Mr. Burr	Mr. Hough	Mr. Seger
Mr. Cadwell	Mr. Ingersoll	Mr. Shafer
Mr. Carpenter	Mr. Jackson	Mr. Shepard
Mr. Carr	Mr. Jones	Mr. D. Sibley
Mr. Cash	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. Springer
Mr. C. Clark	Mr. Krum	Mr. Stetson
Mr. J. Clark	Mr. Livingston	Mr. Stevens
Mr. Coe	Mr. Lockwood	Mr. E. Strong
Mr. Conklin	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Wager
Mr. Crosby	Mr. M'Kie	Mr. Waldron
Mr. Crowell	Mr. M'Neil	Mr. Warren



Those who voted in the negative are

Mr. Carr  
Mr. J. Haskell

Mr. Roosevelt  
Mr. Wetmore

Mr. Wheeler

5

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," was read the third time.

Thereupon,

*Ordered*, That the said bill be recommitted to the select committee, consisting of Mr. T. Lewis, Mr. Parker and Mr. Gray, to report the same complete.

The engrossed bill from the Senate, entitled "An act to amend an act regulating suits on bills of exchange and promissory notes, passed April 25th, 1832," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to subject corporations to assessment for highway labor," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act in relation to the Cohoes bridge company," was read the third time.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Patterson, Mr. Wager and Mr. Dayan, to report the same complete.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Herttell; the same was again read, in the words following, to wit:

*Resolved*, (if the Senate concur,) That this Legislature will adjourn on the eleventh day of May instant, at twelve o'clock at noon.

Mr. Cash made a motion that the House should agree to amend the said resolution, by striking out "eleventh," and inserting "seventh" in lieu thereof.

Debates were had thereon; and the motion being divided,

Mr. Speaker put the question whether the House would agree to strike out the word "eleventh," and it was determined in the negative.

{ NAYS 60 }  
{ AYES 46 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Griswold	Mr. Niles
Mr. Beecher	Mr. Hall	Mr. Odell
Mr. Benjamin	Mr. A. Hascall	Mr. Ostrom
Mr. Bennet	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Brooks	Mr. Healy	Mr. Patterson
Mr. G. Brown	Mr. Hendee	Mr. Peck
Mr. Burhans	Mr. Herttell	Mr. Pettit
Mr. Barnum	Mr. Hicks	Mr. Phillips
Mr. Burr	Mr. Hildreth	Mr. Ringgold
Mr. Cadwell	Mr. Hough	Mr. Seger
Mr. Carpenter	Mr. Jackson	Mr. M. H. Sibley
Mr. Clinch	Mr. Kent	Mr. Speaker
Mr. Conklin	Mr. King	Mr. Springer
Mr. Crain	Mr. Krum	Mr. Stevens
Mr. Cuykendall	Mr. Livingston	Mr. Suffern
Mr. Davis	Mr. Loomis	Mr. Wager
Mr. Dayan	Mr. Lytle	Mr. Wheeler
Mr. Eldred	Mr. Mallory	Mr. Wilcoxson
Mr. Farwell	Mr. Moseley	Mr. Wilkinson
Mr. Fisher	Mr. Murphy	Mr. Woodbury

Those who voted in the affirmative are

Mr. Anthony	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Hillyer	Mr. Roosevelt
Mr. A. Brown	Mr. Horton	Mr. Shepard
Mr. Burke	Mr. Ingersoll	Mr. D. Sibley
Mr. Cash	Mr. Jones	Mr. Simmons
Mr. A. Clark	Mr. Judd	Mr. Stetson
Mr. C. Clark	Mr. Lockwood	Mr. C. Strong
Mr. J. Clark	Mr. M'Kie	Mr. E. Strong
Mr. Coe	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. P. W. Paddock	Mr. Van Bergen
Mr. Crowell	Mr. Parker	Mr. Waldron
Mr. Denniston	Mr. Philo	Mr. Williams
Mr. Finch	Mr. Powers	Mr. W. Woodworth
Mr. Gray	Mr. Preston	Mr. Wylie
Mr. Groom		

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative.

*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

Mr. Livingston gave notice that he would hereafter ask leave to bring in a bill, to be entitled "An act allowing the United States, by its agents and officers, to enter upon, take and occupy such real



estate in the vicinity of the improvement of the navigation of the Hudson river, (authorised to be done by a law of the United States,) as may be necessary to effect such improvement."

And then the House adjourned till four o'clock this afternoon.

#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Attica to Buffalo;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Brooks, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Saratoga-Springs to the town of Malta;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Brooks, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

*Ordered*, That Mr. Griswold, Mr. Springer and Mr. Beecher, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Auburn to Rochester;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Herttell, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Schenectady rail-road bill.

*Ordered*, That Mr. Cuykendall, Mr. M. H. Sibley and Mr. Gray, be the said committee.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Herttell, from the said committee, reported progress, and asked for leave to sit again.

Thereupon, on motion of Mr. Roosevelt,

*Resolved*, That the said bill be referred to a select committee to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That Mr. D. Sibley, Mr. E. Strong and Mr. G. Brown, be the said committee.

**Ordered,** That the bill entitled "An act to construct a rail-road in the town of Stafford in the county of Genesee," be referred to a select committee, consisting of Mr. T. Lewis Mr. Richmond and Mr. Moseley, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Auburn to Ithaca," be referred to a select committee, consisting of Mr. Williams, Mr. Cuykendall and Mr. Woodbury, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Batavia to Lockport," be referred to a select committee, consisting of Mr. M'Neil, Mr. A. Clark and Mr. Wilkinson, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company," be referred to a select committee, consisting of Mr. Woodbury, Mr. Williams and Mr. Fisher, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Onondaga quarries to Syracuse," be referred to a select committee, consisting of Mr. Parker, Mr. Wilkinson and Mr. Pettit, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Greenbush to West-Stockbridge," be referred to a select committee, consisting of Mr. Livingston, Mr. Griswold and Mr. Wilcoxson, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Ballston-Spa to Galway corners," be referred to a select committee, consisting of Mr. Beecher, Mr. Philo and Mr. Springer, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

**Ordered,** That the bill entitled "An act to construct a rail-road from Mechanicsville to Fort-Edward," be referred to a select committee, consisting of Mr. Stetson, Mr. Hicks and Mr. Beecher, to report complete, agreeably to the principles agreed upon by the House in the case of the Utica and Syracuse rail-road bill.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the Shawangunk company," and find the same correctly engrossed.

**Ordered,** That the said bill be laid upon the table.

**Ordered,** That the committee on privileges and elections be discharged from the consideration of the petition for a special town

meeting for the election of justices of the peace in the county of Jefferson, and that the same be committed to the committee of the whole when on the bill relative to the election and classification of justices of the peace.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the payment of Jacob Trumbour for surveying the canals of this State;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the First Christian party of Oneida Indians;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Shepard, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until ten o'clock to-morrow morning.

## SATURDAY, MAY 2, 1835.

The House met pursuant to adjournment.

Mr. Wilkinson, from the select committee to which was referred the bill entitled "An act to provide for the construction of a railroad from Syracuse to the Onondaga stone quarries," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act creating a standard for measuring bran and shorts," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Livingston, from the select committee to which was referred the bill entitled "An act to provide for the construction of a rail-

road from Greenbush to West-Stockbridge," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. T. Lewis, from the select committee to which was referred the engrossed bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," reported, that the committee had gone through the said bill, made an amendment thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be re-engrossed.

Mr. Patterson, from the select committee to which was referred the engrossed bill entitled "An act in relation to the Cohoes bridge company," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be re-engrossed.

Mr. Anthony, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act to appoint commissioners to lay out a road from Poughkeepsie to Pine-Plains in the county of Dutchess," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. Davan, from the select committee to which was referred the petition of Jane Barlow, praying a divorce, reported a bill, entitled "An act for the relief of Jane Barlow;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. Tomlinson, Mr. Stetson and Mr. Hicks, to report complete.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Griswold, from the select committee to which was referred the bill entitled "An act to provide for the construction of a railroad from Saratoga-Springs to Malta," reported the same amended agreeably to the order of yesterday, and also an amendment of the

title to "An act to incorporate the Union rail-road company;" which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Springer, from the select committee to which was referred the bill entitled "An act to provide for the construction of a rail-road from the Rensselaer and Saratoga rail-road, to the Saratoga and Schenectady rail-road," reported the same agreeably to the order of yesterday, and also an amendment of the title to "An act to incorporate the Troy and Schenectady rail-road company;" which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. M. H. Sibley, from the select committee to which was referred the bill entitled "An act to provide for the construction of a rail-road from Auburn to Rochester," reported the same amended agreeably to the order of yesterday, with an alteration of the title to "An act to incorporate the Auburn and Rochester rail-road company;" which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Woodbury, from the select committee to which was referred the bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Cuykendall, from the select committee to which was referred the bill entitled "An act to construct a rail-road from Auburn to Ithaca," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. D. Sibley, from the select committee to which was referred the bill entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte," reported the same amended agreeably to the order of yesterday; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Roosevelt, from the committee on rail-roads, to which was referred the petition of sundry inhabitants of the county of Livingston, praying for the incorporation of a company to construct a rail-road from the village of West-Avon to the mineral springs, reported a bill, entitled "An act to construct the Avon Springs

rail-road;" which was read the first time, and by unanimous consent was also read a second time, and referred to a select committee, consisting of Mr. A. Clark, Mr. Patterson and Mr. T. Lewis, to report complete.

In pursuance of previous notice, Mr. Livingston asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act relative to the improvement of the navigation of the Hudson river;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

The Senate sent for concurrence, a bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the Rensselaer school,' passed March 21st, 1826."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Griswold made a motion that the House should agree to order the said bill to a third reading.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Griswold, and it was unanimously determined in the affirmative.

A message from the Senate was read, informing that they have rejected the bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 2d, 1829."

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act to authorise the building of two bridges over the Cadarskill in the town of Catskill in the county of Greene;" and the bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and for other purposes," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

The Senate returned the bill entitled "An act in relation to Salmon river in the county of Oswego;" the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company;" the bill entitled "An act to incorporate the Gilboa and Jefferson turnpike company;" the bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill;" the bill entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes;" the bill entitled "An act to incorporate the Keeseville academy;" the bill entitled "An act authorising the appointment of an additional supreme court commissioner for the county of Chautauque;" the bill



entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw," and the bill entitled "An act to incorporate the Le Roy and Brockport M<sup>d</sup> Adam road company."

*Ordered*, That the Clerk deliver the said bills to the Governor.

The engrossed resolution to alter the Constitution relative to the judiciary, was read, in the words following, to wit:

*Resolved*, That the following amendments to the Constitution of this State be proposed and referred to the Legislature next to be chosen; and that the Secretary of State cause the same to be published for three months previous to the next annual election, in pursuance of the provisions of the first section of the eighth article of the said Constitution:

*First*. There shall be two additional justices of the supreme court.

*Second*. There shall be a superior court of the State of New-York, to consist of a chief justice and four justices; a majority of whom may hold the court. The said justices shall hold their offices by the same tenure as justices of the supreme court, and shall be members of the court for the trial of impeachments and the correction of errors. When a writ of error shall be brought on a judgment of the superior court, the justices of that court shall assign the reasons for their judgment, but shall not have a voice for its affirmance or reversal. The supreme and superior courts, and the justices thereof, shall possess co-ordinate jurisdiction and powers in all cases, except that the superior court shall not have jurisdiction in cases of quo warranto, mandamus and prohibition, or on writs of certiorari and of error in criminal cases, and shall have exclusive jurisdiction on writs of error to courts of common pleas. The justices of the supreme and superior courts, any or either of them, may preside in courts of oyer and terminer and jail delivery, and may hold circuit courts for the trial of all issues of fact, whether joined in the supreme or superior court. The seventh section of the fifth article of the Constitution shall apply to justices of the superior court. The office of circuit judge shall be abolished on the first day of May, 1837. So much of the Constitution as is inconsistent with these provisions, is hereby annulled.

Debates were had thereon; and the question being put whether the House would agree to the said resolution, it was determined in the affirmative, a majority of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 78 }  
{ NAYS 26 }

Those who voted in the affirmative are

Mr. Anthony  
Mr. Beecher  
Mr. Blatchly  
Mr. Burhans  
Mr. Burke

Mr. Hall  
Mr. A. Hascall  
Mr. Hendee  
Mr. Herttell  
Mr. Hicks

Mr. Parker  
Mr. Patterson  
Mr. Peck  
Mr. Pettit  
Mr. Phillips

Mr. Barnum	Mr. Hildreth	Mr. Philo
Mr. Burr	Mr. Horton	Mr. Powers
Mr. Cadwell	Mr. Hough	Mr. Rice
Mr. Carpenter	Mr. Jackson	Mr. Ringgold
Mr. A. Clark	Mr. Jones	Mr. Roosevelt
Mr. C. Clark	Mr. Judd	Mr. Shepard
Mr. J. Clark	Mr. Krum	Mr. M. H. Sibley
Mr. Clinch	Mr. T. Lewis	Mr. Simmons
Mr. Conklin	Mr. Livingston	Mr. Speaker
Mr. Crain	Mr. Loomis	Mr. Springer
Mr. Crary	Mr. Lytle	Mr. Stetson
Mr. Crowell	Mr. Mallory	Mr. Stevens
Mr. Cuykendall	Mr. M'Kie	Mr. Tomlinson
Mr. Davis	Mr. M'Neil	Mr. Wager
Mr. Dayan	Mr. Moore	Mr. Warren
Mr. Eldred	Mr. Moseley	Mr. Wetmore
Mr. Farwell	Mr. Murphy	Mr. Wheeler
Mr. Finch	Mr. Niles	Mr. Wilcoxson
Mr. Fisher	Mr. Odell	Mr. Wilkinson
Mr. Gray	Mr. P. W. Paddock	Mr. Williams
Mr. Griswold	Mr. W. S. Paddock	Mr. Woodbury

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Those who voted in the negative are

Mr. Barnes	Mr. J. Haskell	Mr. C. Strong
Mr. Benjamin	Mr. Healy	Mr. E. Strong
Mr. Bennet	Mr. Hiller	Mr. Suffern
Mr. Brooks	Mr. Hillyer	Mr. Tillinghast
Mr. G. Brown	Mr. J. W. Lewis	Mr. Tyrrel
Mr. Carr	Mr. Palmer	Mr. Waldron
Mr. Coe	Mr. Preston	Mr. W. Woodworth
Mr. Groom	Mr. Richmond	Mr. Wylie
Mr. Harvey	Mr. D. Sibley	

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*Ordered*, That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act in relation to the Cohoes bridge company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 107 }  
{ NAYS 90 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Harvey	Mr. Patterson
Mr. Barnes	Mr. A. Hascall	Mr. Peck
Mr. Beecher	Mr. J. Haskell	Mr. Pettit



Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Philo
Mr. Blatchly	Mr. Herttell	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Rice
Mr. G. Brown	Mr. Hiller	Mr. Richmond
Mr. Burhans	Mr. Hillyer	Mr. Ringgold
Mr. Burke	Mr. Horton	Mr. Roosevelt
Mr. Barnum	Mr. Hough	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jackson	Mr. M. H. Sibley
Mr. Carpenter	Mr. Jones	Mr. Simmons
Mr. Carr	Mr. Judd	Mr. Speaker
Mr. A. Clark	Mr. King	Mr. Springer
Mr. C. Clark	Mr. Krum	Mr. Stetson
Mr. J. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. Coc	Mr. T. Lewis	Mr. C. Strong
Mr. Conklin	Mr. Livingston	Mr. E. Strong
Mr. Crain	Mr. Lockwood	Mr. Suffern
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crowell	Mr. Lytle	Mr. Tomlinson
Mr. Cuykendall	Mr. Mallory	Mr. Tyrrel
Mr. Davis	Mr. M'Kie	Mr. Wager
Mr. Dayan	Mr. M'Neil	Mr. Waldron
Mr. Denniston	Mr. Moore	Mr. Warren
Mr. Eldred	Mr. Moseley	Mr. Wetmore
Mr. Farwell	Mr. Murphy	Mr. Wheeler
Mr. Finch	Mr. Niles	Mr. Wilcoxson
Mr. Fisher	Mr. Odell	Mr. Wilkinson
Mr. Gray	Mr. P. W. Paddock	Mr. Williams
Mr. Griswold	Mr. W. S. Paddock	Mr. Woodbury
Mr. Groom	Mr. Palmer	Mr. Wylie
Mr. Hall	Mr. Parker	

**Ordered,** That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," and the engrossed bill entitled "An act to incorporate the Shamrock benevolent association of the State of New-York," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

The engrossed bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," was read the third time.

Thereupon,

**Ordered,** That the said bill be referred to the committee appointed in pursuance of the forty-seventh rule of this House.

The engrossed bill entitled "An act to extend the act in relation to the State hall, passed April 1st, 1884," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative.

{ NAYS 57 }  
{ AYES 25 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Beecher	Mr. Herttell	Mr. Powers
Mr. Benjamin	Mr. Hiller	Mr. Preston
Mr. Bennet	Mr. Horton	Mr. Richmond
Mr. Blatchly	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Judd	Mr. Shepard
Mr. Burr	Mr. T. Lewis	Mr. Simmons
Mr. Cash	Mr. Loomis	Mr. Springer
Mr. C. Clark	Mr. Lytle	Mr. Stetson
Mr. J. Clark	Mr. M'Kie	Mr. E. Strong
Mr. Coe	Mr. Moore	Mr. Suffern
Mr. Conklin	Mr. Murphy	Mr. Tillinghast
Mr. Crain	Mr. Niles	Mr. Tyrrel
Mr. Crary	Mr. Odell	Mr. Waldron
Mr. Crowell	Mr. W. S. Paddock	Mr. Warren
Mr. Cuykendall	Mr. Patterson	Mr. Wilkinson
Mr. Davis	Mr. Peck	Mr. Williams
Mr. Gray	Mr. Pettit	Mr. Woodbury
Mr. Harvay	Mr. Phillips	Mr. W. Woodworth
Mr. Healy	Mr. Philo	Mr. Wylie

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Those who voted in the affirmative are

Mr. Anthony	Mr. A. Hascall	Mr. Palmer
Mr. Barnes	Mr. J. Haskell	Mr. Parker
Mr. Brooks	Mr. Hendee	Mr. Roosevelt
Mr. Burke	Mr. Hicks	Mr. D. Sibley
Mr. Cadwell	Mr. Hillyer	Mr. M. H. Sibley
Mr. Dayan	Mr. Jones	Mr. C. Strong
Mr. Eldred	Mr. Moseley	Mr. Tomlinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Wetmore
Mr. Hall		

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The engrossed bill entitled "An act to amend the several statutes concerning the election of justices of the peace," was read the third time.

Thereupon,

Ordered, That the said bill be referred to a select committee, consisting of Mr. M. H. Sibley, Mr. Wilcoxson and Mr. Judd, to consider and report thereon.

The engrossed bill entitled "An act to amend article first of title first of chapter fifteenth of part first of the Revised Statutes," was read the third time.

*Resolved*, That the bill be rejected.

Mr. Hertteli, from the committee appointed in pursuance of the forty-seventh rule of this House, to which was referred the bill entitled "An act for the relief of the Central asylum for the instruction of the deaf and dumb," reported, that in the opinion of a majority of the committee, the said bill does not require the votes of two-thirds of all the members elected to this House to pass the same.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The said bill having been again read,

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of Bates Cook," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to vest certain additional powers in the supreme court commissioner appointed for the town of Whitehall in the county of Washington," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of Daniel Fowler," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act relative to the improvement of the navigation of the Hudson river," and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to authorise the supervisors of the county of Livingston to raise money to build bridges in said county," was read the third time.

**Resolved, That the bill do pass.**

The engrossed bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 95 }  
{ NAYS 03 }

These who voted in the affirmative are

Mr. Anthony	Mr. A. Hascall	Mr. Patterson
Mr. Barnes	Mr. Healy	Mr. Peck
Mr. Beecher	Mr. Hendee	Mr. Pettit
Mr. Benjamin	Mr. Hicks	Mr. Phillips
Mr. Bennet	Mr. Hildreth	Mr. Philo
Mr. Blatchly	Mr. Hiller	Mr. Powers
Mr. Brooks	Mr. Hillyer	Mr. Preston
Mr. A. Brown	Mr. Horton	Mr. Rice
Mr. G. Brown	Mr. Hough	Mr. Richmond
Mr. Burhans	Mr. Ingersoll	Mr. Ringgold
Mr. Burke	Mr. Jackson	Mr. Shepard
Mr. Barnum	Mr. Jones	Mr. D. Sibley
Mr. Burr	Mr. Judd	Mr. M. H. Sibley
Mr. Cadwell	Mr. King	Mr. Simmons
Mr. Carpenter	Mr. Krum	Mr. Speaker
Mr. Cash	Mr. J. W. Lewis	Mr. Springer
Mr. A. Clark	Mr. T. Lewis	Mr. Stetson
Mr. C. Clark	Mr. Livingston	Mr. Stevens
Mr. J. Clark	Mr. Lockwood	Mr. C. Strong
Mr. Coe	Mr. Loomis	Mr. E. Strong
Mr. Conklin	Mr. Lytle	Mr. Suffern
Mr. Crain	Mr. Mallory	Mr. Tillinghast
Mr. Crary	Mr. M'Kie	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Wilcoxson
Mr. Finch	Mr. Murphy	Mr. Wilkinson
Mr. Fisher	Mr. Niles	Mr. Williams
Mr. Gray	Mr. P. W. Paddock	Mr. Woodbury
Mr. Groom	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Hall	Mr. Palmer	Mr. Wylie
Mr. Harvey	Mr. Parker	

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Those who voted in the negative are

Mr. Carr	Mr. Clinch	Mr. Roosevelt
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3

**Ordered,** That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the village of Clyde in the county of Wayne."

Also the bill entitled "An act for the sale and conveyance to Solomon Davis of lot number thirty-one in the Two-mile tract in the county of Oneida."

Also the bill entitled "An act to amend the act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cazenovia,' passed February 17th, 1810."

Also the bill entitled "An act to incorporate the West-Troy India rubber manufacturing company."

Also the bill entitled "An act to incorporate the Bainbridge and Oxford turnpike company."

Also the bill entitled "An act to authorise the supervisors of the county of Allegany to raise money to build a bridge over the Genesee river at Portageville."

Also the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Gaines in Orleans county."

Also the bill entitled "An act relating to the Wallabout and Brooklyn toll-bridge company."

Also the bill entitled "An act to amend article second, title fifth, chapter sixth, part third of the Revised Statutes, entitled 'Of executions against property.'"

Also the bill entitled "An act to incorporate the village of Jordan."

Also the bill entitled "An act to incorporate the village of Angelica."

Also the bill entitled "An act to revive an act entitled 'An act to incorporate the Long Island Farmers' fire insurance company,' passed April 29th, 1823, and to extend the time for organizing the same."

Also the bill entitled "An act to incorporate the village of Mount-Morris."

Also the bill entitled "An act relative to voluntary assignments of choses in action."

Also the bill entitled "An act to authorise the supervisors of the county of Erie to raise money by tax, to build certain bridges."

Also the bill entitled "An act to improve the inlet of the Cayuga lake."

Also the bill entitled "An act to incorporate the Watertown academy."

Also the bill entitled "An act authorising Curtis Peck to erect a wharf in the town of Rye in the county of Westchester."

W. L. MARCY.

*Albany, May 2, 1835.*

Five several messages from the Senate were read, informing that they have passed the bill entitled "An act authorising Felix Tracy to erect a dam across the Genesee river;" the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh;" the bill entitled "An act to amend an act entitled 'An act to incorporate the Dover and Union-Vale turnpike company,' passed April 23d, 1835;" the bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead;" and the bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes,)" severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution to adjourn on the eleventh instant.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school monies;" the bill entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1823;" and the bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes," severally with the amendments therewith delivered.

The said bills and amendments were read; and the amendments having been again read, and concurred in,

*Ordered,* That the Clerk return the said bills to the Senate, and inform them that this House have concurred with them in their amendments to the said bills, and amended the same severally accordingly.

The engrossed bill entitled "An act in relation to the public lands in the township of Chemung," was read the third time.

*Resolved,* That the bill do pass.

The engrossed bill entitled "An act to authorise Richard Udall to build a dock in the town of North-Hempstead," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

On motion of Mr. Patterson,

*Resolved,* That on and after Monday next, this House will meet at nine o'clock in the morning.

**Ordered,** That the bill entitled "An act to regulate the taxation of the accounts of district attorneys," be referred to a select committee, consisting of Mr. Hicks, Mr. Moore and Mr. Stetson, to report complete.

Mr. Moore gave notice that he would, on Tuesday next, at twelve o'clock, make a motion that there then be a call of this House.

Mr. Cash offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the vote on the final passage of the bill entitled "An act to incorporate the Syracuse fine salt company," be reconsidered.

Debates were had thereon; and the question being put whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 88 }  
{ NAYS 10 }

Those who voted in the affirmative are

Mr. Anthony	Mr. Herttell	Mr. Peck
Mr. Barnes	Mr. Hicks	Mr. Pettit
Mr. Beecher	Mr. Hildreth	Mr. Phillips
Mr. Benjamin	Mr. Hiller	Mr. Philo
Mr. Blatchly	Mr. Hillyer	Mr. Powers
Mr. Brooks	Mr. Horton	Mr. Preston
Mr. A. Brown	Mr. Hough	Mr. Rice
Mr. Burhans	Mr. Jackson	Mr. Richmond
Mr. Burke	Mr. Jones	Mr. Ringgold
Mr. Cadwell	Mr. Judd	Mr. Shepard
Mr. Carpenter	Mr. Krum	Mr. M. H. Sibley
Mr. Carr	Mr. J. W. Lewis	Mr. Simmons
Mr. C. Clark	Mr. T. Lewis	Mr. Speaker
Mr. J. Clark	Mr. Livingston	Mr. Springer
Mr. Coe	Mr. Loomis	Mr. Stetson
Mr. Conklin	Mr. Lytle	Mr. Stevens
Mr. Crain	Mr. Mallory	Mr. C. Strong
Mr. Crary	Mr. M'Kie	Mr. Suffern
Mr. Crowell	Mr. M'Neil	Mr. Tillinghast
Mr. Cuykendall	Mr. Moore	Mr. Tomlinson
Mr. Davis	Mr. Moseley	Mr. Tyrrel
Mr. Farwell	Mr. Murphy	Mr. Wager
Mr. Finch	Mr. Niles	Mr. Wheeler
Mr. Fisher	Mr. Odell	Mr. Wilcoxson
Mr. Gray	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Hall	Mr. W. S. Paddock	Mr. Williams
Mr. Harvey	Mr. Palmer	Mr. Woodbury
Mr. A. Hascall	Mr. Parker	Mr. W. Woodworth
Mr. J. Haskell	Mr. Patterson	Mr. Wylie
Mr. Hendee		



**Those who voted in the negative are,**

Mr. Bennet	Mr. Groom	Mr. Roosevelt
Mr. G. Brown	Mr. Healy	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. E. Strong
Mr. Eldred		

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**Ordered,** That the bill entitled "An act for the relief of John M'Intyre and others," be referred to a select committee, consisting of Mr. Moore, Mr. Hicks and Mr. Horton, to report complete.

In pursuance of previous notice, Mr. Hicks asked for and obtained leave to bring in a bill, entitled "An act in relation to protests and promissory notes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

**Ordered,** That the committee of the whole be discharged from the consideration of the bill entitled "An act to authorise the common council of the city of Utica to raise by an equitable assessment upon the real and personal estate in said city, the money required to be paid to the canal fund by an act to change the northern termination of the Chenango canal," and that the same be referred to a select committee, consisting of Mr. Wager, Mr. Dayan and Mr. Shepard, to report complete.

**Ordered,** That Mr. Warren have leave of absence for the remainder of the session.

Mr. Livingston gave notice that he would hereafter ask leave to bring in a bill, to be entitled "An act respecting costs in certain proceedings and actions."

**Ordered,** That the committee of the whole be discharged from the further consideration of the bill to divide the town of Hinsdale, and that the same be referred to a select committee, consisting of Mr. Burke, Mr. Burr and Mr. Patterson, to report complete.

**Ordered,** That the committee of the whole be discharged from the further consideration of the engrossed bill from the Senate, for the relief of William Paige, and that the same be ordered to a third reading.

Mr. Wetmore gave notice of his intention hereafter to ask leave to introduce a bill in relation to the Humane Society of the city of New-York.

**Ordered,** That the committee of the whole be discharged from the further consideration of the bill entitled "An act relative to the Greenwich Savings Bank," the bill relative to the Seamen's Bank, and the bill relative to the Mechanics' and Farmers' Bank; and that the said bills be ordered to be engrossed for a third reading.

**Ordered,** That the committee of the whole be discharged from the further consideration of the bill for the relief of John Hill, Jenny Hill and Anthony Otsequette; and that the same be referred to a select committee, consisting of Mr. Cadwell, Mr. Wager and Mr. Shepard, to report complete.

Mr. Rice offered for the consideration of the House, a resolution, in the words following, to wit:



**Resolved,** That the vote given and relative to the powers of the Regents of the University conferring the honorary degree of doctor of medicine, be reconsidered.

**Ordered,** That the said resolution be laid upon the table.

Mr. E. Strong offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the committee of eight be directed not to report any further business for the action of the House at the present system.

**Ordered,** That the said resolution be laid upon the table.

Mr. Patterson offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the committee on the judiciary be directed to prepare and report a bill to reduce the fees of the register and assistant register in the Court of Chancery, and the several clerks of the Supreme Court; and that they report with all convenient despatch.

**Ordered,** That the said resolution be laid upon the table.

Mr. Carr offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** (if the Senate concur,) That the Governor of this State be requested to correspond with the Governors of the other States throughout the Union, in relation to the expediency and propriety of taking such measures as may be necessary to the adoption of some system of transportation or colonization of convicted criminals; and that he be requested to communicate the result of such correspondence to the next Legislature.

**Ordered,** That the said resolution be laid upon the table.

And then the House adjourned until ten o'clock on Monday morning next.

## MONDAY, MAY 4, 1835.

The House met pursuant to adjournment.

Mr. Fisher offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the vote on the final passage of the bill to revive and continue the act entitled "An act to incorporate the New-York dry dock company," passed May 1st, 1834, be reconsidered.

**Ordered,** That the said resolution be laid upon the table.

Mr. Tomlinson, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of the village of Geneseo, praying for an amendment of the charter of said village, reported a bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Geneseo,' passed April 21st, 1832;" which was read the first time, and by unanimous consent was also read a second time.

**Thereupon,**

Mr. Tomlinson made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Tomlinson, and it was unanimously determined in the affirmative.

Mr. A. Clark, from the select committee to which was referred the bill entitled "An act to construct the Avon-Springs rail-road," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Cadwell, from the select committee to which was referred the bill entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Stetson, from the select committee to which was referred the bill entitled "An act to regulate the taxation of the accounts of district attorneys," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Beecher, from the select committee to which was referred the bill entitled "An act to incorporate the Ballston-Spa and Galway rail-road company," reported, that the committee had amended the said bill agreeably to the order of the House, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Wager, from the select committee to which was referred the bill entitled "An act to authorise the raising by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act to change the location of the northern termination of the Chenango canal," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Hicks, from the select committee to which was referred the bill entitled "An act to provide for the assessment of damages sus-

tained by John M'Intyre and others on the Champlain canal," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. A. Hascall, from the select committee to which was referred the bill entitled "An act for the relief of Jane Barlow," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. M'Neil, from the select committee to which was referred the bill entitled "An act to construct a rail-road from Batavia to Lockport," reported, that the committee had amended the said bill agreeably to the order of the House, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the village of Geneseo,' passed April 21st, 1832;" the engrossed bill entitled "An act to construct the Avon Springs rail-road;" the engrossed bill entitled "An act to incorporate the Susquehannah steam navigation company;" the engrossed bill entitled "An act in relation to the measurement and inspection of lumber;" the engrossed bill entitled "An act to construct a rail-road from Auburn to Ithaca;" the engrossed bill entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte;" the engrossed bill entitled "An act to incorporate the Union rail-road company;" the engrossed bill entitled "An act to incorporate the Troy and Schenectady rail-road company;" the engrossed bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company;" the engrossed bill entitled "An act to provide for the construction of a rail-road from Syracuse to the Onondaga stone quarries," and the engrossed bill entitled "An act to provide for the construction of a rail-road from Auburn to Rochester," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The engrossed bill entitled "An act to incorporate the Napanock company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

**{ AYES 85 }**  
**{ NAYS 06 }**

**Those who voted in the affirmative are**

Mr. Adams	Mr. Fisher	Mr. Ostrom
Mr. Anthony	Mr. Gray	Mr. W. S. Paddock
Mr. Beecher	Mr. Griswold	Mr. Palmer
Mr. Benjamin	Mr. Groom	Mr. Patterson
Mr. Bennet	Mr. Hall	Mr. Powers
Mr. Blatchly	Mr. Harvey	Mr. Preston
Mr. Brooks	Mr. A. Hascall	Mr. Rice
Mr. G. Brown	Mr. Healy	Mr. Richmond
Mr. Burke	Mr. Hendee	Mr. Shepard
Mr. Barnum	Mr. Hicks	Mr. D. Sibley
Mr. Burr	Mr. Hildreth	Mr. M. H. Sibley
Mr. Cadwell	Mr. Hiller	Mr. Simmons
Mr. Carpenter	Mr. Horton	Mr. Speaker
Mr. Cash	Mr. Hough	Mr. Springer
Mr. A. Clark	Mr. Kent	Mr. Stetson
Mr. C. Clark	Mr. Krum	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Lockwood	Mr. Thorn
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Kie	Mr. Wager
Mr. Crowell	Mr. M'Neil	Mr. Warren
Mr. Cuykendall	Mr. Moore	Mr. Wilkinson
Mr. Davis	Mr. Moseley	Mr. Williams
Mr. Dayan	Mr. Murphy	Mr. Woodbury
Mr. Eldred	Mr. Niles	Mr. W. Woodworth
Mr. Farwell	Mr. Odell	Mr. Wylie
Mr. Finch		

**85**

**Those who voted in the negative are**

Mr. J. Haskell	Mr. Phillips	Mr. Roosevelt
Mr. Herttell	Mr. Ringgold	Mr. Wetmore

**6**

The engrossed bill entitled "An act authorising the dissolution of the Masonic Hall association in the city of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

**{ AYES 94 }**  
**{ NAYS 01 }**

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Parker
Mr. Anthony	Mr. Hall	Mr. Patterson
Mr. Beecher	Mr. Harvey	Mr. Peck
Mr. Benjamin	Mr. A. Hascall	Mr. Pettit
Mr. Bennet	Mr. Healy	Mr. Phillips
Mr. Brooks	Mr. Hendee	Mr. Powers
Mr. G. Brown	Mr. Herttell	Mr. Preston
Mr. Burke	Mr. Hildreth	Mr. Rice
Mr. Barnum	Mr. Hiller	Mr. Richmond
Mr. Burr	Mr. Hillyer	Mr. Ringgold
Mr. Cadwell	Mr. Horton	Mr. Roosevelt
Mr. Cash	Mr. Hough	Mr. Shepard
Mr. A. Clark	Mr. Jones	Mr. D. Sibley
Mr. C. Clark	Mr. Kent	Mr. M. H. Sibley
Mr. J. Clark	Mr. Krum	Mr. Simmons
Mr. Clinch	Mr. T. Lewis	Mr. Speaker
Mr. Coe	Mr. Livingston	Mr. Springer
Mr. Conklin	Mr. Loomis	Mr. Stetson
Mr. Crain	Mr. Lytle	Mr. C. Strong
Mr. Crary	Mr. Mallory	Mr. E. Strong
Mr. Crosby	Mr. M'Kie	Mr. Suffern
Mr. Crowell	Mr. M'Neil	Mr. Thorn
Mr. Cuykendall	Mr. Moore	Mr. Tillinghast
Mr. Davis	Mr. Moseley	Mr. Tomlinson
Mr. Dayan	Mr. Murphy	Mr. Tyrrel
Mr. Eldred	Mr. Niles	Mr. Wager
Mr. Farwell	Mr. Odell	Mr. Wetmore
Mr. Finch	Mr. Ostrom	Mr. Wilkinson
Mr. Fisher	Mr. P. W. Paddock	Mr. Williams
Mr. Gray	Mr. W. S. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Palmer	Mr. Wylie

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Those who voted in the negative are

Mr. J. Haskell

1

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to extend the operations of an act entitled 'An act to amend the charter of the College of Pharmacy in the city of New-York,' passed April 26th, 1832, to the city of Brooklyn," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 80 }  
{ NAYS 10 }

## Those who voted in the affirmative are

Mr. Anthony	Mr. Fisher	Mr. Palmer
Mr. Beecher	Mr. Gray	Mr. Parker
Mr. Benjamin	Mr. Griswold	Mr. Patterson
Mr. Bennet	Mr. Groom	Mr. Peck
Mr. Blatchly	Mr. Hall	Mr. Pettit
Mr. Brooks	Mr. Harvey	Mr. Phillips
Mr. G. Brown	Mr. A. Hascall	Mr. Powers
Mr. Burke	Mr. Hendee	Mr. Preston
Mr. Barnum	Mr. Hildreth	Mr. Rice
Mr. Burr	Mr. Hiller	Mr. Shepard
Mr. Cadwell	Mr. Horton	Mr. D. Sibley
Mr. Cash	Mr. Hough	Mr. M. H. Sibley
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. C. Clark	Mr. Kent	Mr. Springer
Mr. J. Clark	Mr. T. Lewis	Mr. Stetson
Mr. Coe	Mr. Livingston	Mr. E. Strong
Mr. Conklin	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Thorn
Mr. Crary	Mr. Mallory	Mr. Tomlinson
Mr. Crosby	Mr. M'Kie	Mr. Tyrrel
Mr. Crowell	Mr. M'Neil	Mr. Wager
Mr. Cuykendall	Mr. Moore	Mr. Wilkinson
Mr. Davis	Mr. Moseley	Mr. Williams
Mr. Dayan	Mr. Murphy	Mr. Woodbury
Mr. Eldred	Mr. Niles	Mr. W. Woodworth
Mr. Farwell	Mr. Odell	Mr. Wylie
Mr. Finch	Mr. P. W. Paddock	

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## Those who voted in the negative are

Mr. Clinch	Mr. Krum	Mr. Roosevelt
Mr. J. Haskell	Mr. Ostrom	Mr. Tillinghast
Mr. Hertell	Mr. Ringgold	Mr. Wetmore
Mr. Hillyer		

10

The engrossed bill entitled "An act to incorporate the Shawan-gunk company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
 { NAYS 07 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. P. W. Paddock
Mr. Anthony	Mr. Griswold	Mr. W. S. Paddock

Mr. Beecher	Mr. Groom	Mr. Palmer
Mr. Benjamin	Mr. Hall	Mr. Parker
Mr. Bennet	Mr. Harvey	Mr. Patterson
Mr. Blatchly	Mr. A. Hascall	Mr. Peck
Mr. Brooks	Mr. Healy	Mr. Pettit
Mr. G. Brown	Mr. Hendee	Mr. Powers
Mr. Burke	Mr. Hildreth	Mr. Preston
Mr. Barnum	Mr. Hiller	Mr. Shepard
Mr. Burr	Mr. Hillyer	Mr. D. Sibley
Mr. Cadwell	Mr. Horton	Mr. M. H. Sibley
Mr. Cash	Mr. Hough	Mr. Speaker
Mr. A. Clark	Mr. Jones	Mr. Springer
Mr. C. Clark	Mr. Kent	Mr. Stetson
Mr. J. Clark	Mr. Krum	Mr. C. Strong
Mr. Coe	Mr. T. Lewis	Mr. E. Strong
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Lockwood	Mr. Thorn
Mr. Crary	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Wilkinson
Mr. Dayan	Mr. Moseley	Mr. Williams
Mr. Eldred	Mr. Murphy	Mr. Woodbury
Mr. Farwell	Mr. Niles	Mr. W. Woodworth
Mr. Finch	Mr. Odell	Mr. Wylie
Mr. Fisher	Mr. Ostrom	

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Those who voted in the negative are

Mr. Clinch	Mr. Herttell	Mr. Roosevelt
Mr. J. Haskell	Mr. Ringgold	Mr. Wetmore

8

The engrossed bill entitled "An act to incorporate a fire company in the town of Haverstraw in the county of Rockland," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Parker
Mr. Anthony	Mr. Harvey	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Peck
Mr. Benjamin	Mr. Healy	Mr. Pettit
Mr. Bennet	Mr. Hendee	Mr. Phillips

Mr. Blatchly	Mr. Hildreth	Mr. Powers
Mr. Brooks	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Rice
Mr. Burke	Mr. Horton	Mr. Richmond
Mr. Barnum	Mr. Hough	Mr. Ringgold
Mr. Burr	Mr. Jones	Mr. Shepard
Mr. Cadwell	Mr. Kent	Mr. D. Sibley
Mr. Cash	Mr. Krum	Mr. M. H. Sibley
Mr. A. Clark	Mr. T. Lewis	Mr. Speaker
Mr. C. Clark	Mr. Livingston	Mr. Springer
Mr. J. Clark	Mr. Lockwood	Mr. C. Strong
Mr. Coe	Mr. Loomis	Mr. E. Strong
Mr. Conklin	Mr. Lytle	Mr. Suffern
Mr. Crain	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Kie	Mr. Tillinghast
Mr. Crowell	Mr. M'Neil	Mr. Tomlinson
Mr. Cuykendall	Mr. Moore	Mr. Tyrrel
Mr. Davis	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Murphy	Mr. Waldron
Mr. Eldred	Mr. Niles	Mr. Wetmore
Mr. Farwell	Mr. Odell	Mr. Wilkinson
Mr. Finch	Mr. Ostrom	Mr. Williams
Mr. Fisher	Mr. P. W. Paddock	Mr. Woodbury
Mr. Gray	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Griswold	Mr. Palmer	Mr. Wyhe
Mr. Groom		

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Hertel
Mr. Clinch		

4

*Ordered*, That the clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Shamrock benevolent association of the State of New-York," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 78 }  
{ NAYS 17 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. W. S. Paddock
Mr. Anthony	Mr. Harvey	Mr. Palmer
Mr. Beecher	Mr. A. Hascall	Mr. Parker
Mr. Bennet	Mr. J. Haskell	Mr. Peck



Mr. Blatchly	Mr. Healy	Mr. Pettit
Mr. Brooks	Mr. Herttell	Mr. Phillips
Mr. Burke	Mr. Hildreth	Mr. Powers
Mr. Burr	Mr. Hiller	Mr. Preston
Mr. Cadwell	Mr. Hough	Mr. Rice
Mr. A. Clark	Mr. Jones	Mr. Ringgold
Mr. C. Clark	Mr. Kent	Mr. Shepard
Mr. J. Clark	Mr. Krum	Mr. M. H. Sibley
Mr. Conklin	Mr. T. Lewis	Mr. Speaker
Mr. Crain	Mr. Livingston	Mr. Springer
Mr. Crary	Mr. Lockwood	Mr. C. Strong
Mr. Crowell	Mr. Loomis	Mr. Suffern
Mr. Cuykendall	Mr. Lytle	Mr. Thorn
Mr. Davis	Mr. Mallory	Mr. Tillinghast
Mr. Dayan	Mr. Moseley	Mr. Tomlinson
Mr. Eldred	Mr. Murphy	Mr. Wager
Mr. Finch	Mr. Niles	Mr. Wilkinson
Mr. Fisher	Mr. Odell	Mr. Williams
Mr. Gray	Mr. Ostrom	Mr. Woodbury
Mr. Griswold	Mr. P. W. Paddock	Mr. Wylie
Mr. Groom		

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Those who voted in the negative are

Mr. Benjamin	Mr. Hillyer	Mr. D. Sibley
Mr. G. Brown	Mr. Horton	Mr. E. Strogg
Mr. Barnum	Mr. M'Kie	Mr. Tyrrel
Mr. Coe	Mr. M'Neil	Mr. Waldron
Mr. Farwell	Mr. Patterson	Mr. W. Woodworth
Mr. Hendee	Mr. Richmond	

17

Mr. T. Lewis, from the select committee to which was referred the bill entitled "An act to construct a rail-road in the town of Stafford in the county of Genesee," reported, that the committee had amended the said bill agreeably to the order of the House, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The engrossed bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22d, 1831," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	87	}
{	NAYS	02	}

**Those who voted in the affirmative are**

Mr. Adams	Mr. Gray	Mr. P. W. Paddock
Mr. Anthony	Mr. Griswold	Mr. Palmer
Mr. Beecher	Mr. Groom	Mr. Parker
Mr. Benjamin	Mr. Hall	Mr. Patterson
Mr. Bennet	Mr. Harvey	Mr. Peck
Mr. Blatchly	Mr. A. Hascall	Mr. Pettit
Mr. Brooks	Mr. Healy	Mr. Phillips
Mr. G. Brown	Mr. Hendee	Mr. Powers
Mr. Burke	Mr. Hildreth	Mr. Preston
Mr. Barnum	Mr. Hiller	Mr. Richmond
Mr. Burr	Mr. Hillyer	Mr. Shepard
Mr. Cadwell	Mr. Horton	Mr. D. Sibley
Mr. Cash	Mr. Hough	Mr. M. H. Sibley
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. C. Clark	Mr. Kent	Mr. Springer
Mr. J. Clark	Mr. Krum	Mr. Stetson
Mr. Coe	Mr. T. Lewis	Mr. E. Strong
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crain	Mr. Loomis	Mr. Thorn
Mr. Crary	Mr. Lytle	Mr. Tillinghast
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Neil	Mr. Wager
Mr. Davis	Mr. Moore	Mr. Waldron
Mr. Dayan	Mr. Moseley	Mr. Wilkinson
Mr. Eldred	Mr. Murphy	Mr. Williams
Mr. Farwell	Mr. Niles	Mr. Woodbury
Mr. Finch	Mr. Odell	Mr. W. Woodworth
Mr. Fisher	Mr. Ostrom	Mr. Wylie

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**Those who voted in the negative are,**

Mr. J. Haskell	Mr. Herttell	2
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The engrossed bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 03 }

**Those who voted in the affirmative are**

Mr. Adams	Mr. Griswold	Mr. Patterson
Mr. Anthony	Mr. Groom	Mr. Pettit
Mr. Beecher	Mr. Hall	Mr. Phillips

Mr. Benjamin	Mr. Harvey	Mr. Powers
Mr. Bennet	Mr. A. Hascall	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Richmond
Mr. Brooks	Mr. Hendee	Mr. Roosevelt
Mr. G. Brown	Mr. Hildreth	Mr. Seger
Mr. Burke	Mr. Hiller	Mr. Shepard
Mr. Barnum	Mr. Hillyer	Mr. D. Sibley
Mr. Burr	Mr. Horton	Mr. Speaker
Mr. Cadwell.	Mr. Hough	Mr. Springer
Mr. Cash	Mr. Jones	Mr. C. Strong
Mr. A. Clark	Mr. Kent	Mr. Suffern
Mr. C. Clark	Mr. Krum	Mr. Thorn
Mr. J. Clark	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Conklin	Mr. Mallory	Mr. Tyrrel
Mr. Grain	Mr. M'Kie	Mr. Van Bergen
Mr. Crosby	Mr. M'Neil	Mr. Wager
Mr. Crowell	Mr. Moore	Mr. Waldron
Mr. Cuykendall	Mr. Moseley	Mr. Wheeler
Mr. Davis	Mr. Murphy	Mr. Wilcoxson
Mr. Dayan	Mr. Niles	Mr. Wilkinson
Mr. Eldred	Mr. Odell	Mr. Williams
Mr. Farwell	Mr. Ostrom	Mr. Woodbury
Mr. Finch	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Fisher	Mr. Palmer	Mr. Wylie
Mr. Gray	Mr. Parker	

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Those who voted in the negative are

Mr. J. Haskell	Mr. Herttell	Mr. Wetmore	3
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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Susquehannah steam navigation company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES	78 }
{ NAYS	15 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Patterson
Mr. Anthony	Mr. Hall	Mr. Peck
Mr. Beecher	Mr. Harvey	Mr. Pettit
Mr. Benjamin	Mr. A. Hascall	Mr. Powers
Mr. Bennet	Mr. Healy	Mr. Preston
Mr. Blatchly	Mr. Hiller	Mr. Richmond

Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. Barnum	Mr. Horton	Mr. Shepard
Mr. Burr	Mr. Jones	Mr. D. Sibley
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. A. Clark	Mr. Krum	Mr. Springer
Mr. C. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Tillinghast
Mr. Crary	Mr. Mallory	Mr. Tomlinson
Mr. Crosby	Mr. M'Kie	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Cuykendall	Mr. Moseley	Mr. Wager
Mr. Davis	Mr. Niles	Mr. Waldron
Mr. Eldred	Mr. Odell	Mr. Wheeler
Mr. Farwell	Mr. Ostrom	Mr. Wilcoxson
Mr. Finch	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodbury
Mr. Gray	Mr. Palmer	Mr. W. Woodworth
Mr. Griswold	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. G. Brown	Mr. J. Haskell	Mr. Ringgold
Mr. Burke	Mr. Hendee	Mr. Roosevelt
Mr. Cash	Mr. Herttell	Mr. Thorn
Mr. Clinch	Mr. M'Neil	Mr. Wetmore
Mr. Conklin	Mr. Phillips	Mr. Williams

15

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to create and regulate a standard for measuring bran and shorts;" the engrossed bill entitled "An act to amend the charter of the Mechanics' and Farmers' bank of the city of Albany;" the engrossed bill entitled "An act relative to the Greenwich savings bank;" the engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the Seamen's bank for savings in the city of New-York,' passed January 31st, 1829;" and the engrossed bill entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes;" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Cash offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That this House will, on and after to day, hold an evening session, to commence at half past seven o'clock.

*Ordered*, That the said resolution be laid upon the table.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. A. Woodworth; the same was again read, in the words following, to wit:

**Resolved,** That the vote on the bill to continue the charter of the Lenox Iron Company, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 88 }  
 { NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Pettit
Mr. Beecher	Mr. A. Hascall	Mr. Phillips
Mr. Benjamin	Mr. Healy	Mr. Powers
Mr. Bennet	Mr. Hendee	Mr. Preston
Mr. Blatchly	Mr. Hildreth	Mr. Rice
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burke	Mr. Hough	Mr. Roosevelt
Mr. Barnum	Mr. Jones	Mr. Seger
Mr. Burr	Mr. Kent	Mr. Shepard
Mr. Cadwell	Mr. Krum	Mr. D. Sibley
Mr. Cash	Mr. T. Lewis	Mr. M. H. Sibley
Mr. C. Clark	Mr. Livingston	Mr. Speaker
Mr. J. Clark	Mr. Loomis	Mr. Springer
Mr. Coe	Mr. Lytle	Mr. C. Strong
Mr. Conklin	Mr. Mallory	Mr. E. Strong
Mr. Crain	Mr. M'Kie	Mr. Thorn
Mr. Crary	Mr. M'Neil	Mr. Tillinghast
Mr. Crosby	Mr. Moore	Mr. Tomlinson
Mr. Crowell	Mr. Moseley	Mr. Tyrrel
Mr. Cuykendall	Mr. Murphy	Mr. Van Bergen
Mr. Davis	Mr. Niles	Mr. Wager
Mr. Dayan	Mr. Odell	Mr. Waldron
Mr. Eldred	Mr. Ostrom	Mr. Wheeler
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. Palmer	Mr. Wilkinson
Mr. Fisher	Mr. Parker	Mr. Williams
Mr. Gray	Mr. Patterson	Mr. Woodbury
Mr. Griswold	Mr. Peck	Mr. Wylie
Mr. Groom		

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Those who voted in the negative are

Mr. Anthony	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Clinch	Mr. Herttell	Mr. Wetmore

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**Ordered,** That the said bill be laid upon the table.

The engrossed bill from the Senate, entitled "An act directing the sale to William Page of one hundred acres of land in the New-Stockbridge or Oneida reservation," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the negative.

*Ordered*, That the Clerk deliver the said bill to the Senate, and inform them that this House have rejected the same.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to annex a part of the town of Davenport, and a part of the town of Franklin in Delaware county, to the town of Oneonta in the county of Otsego, and a part of the town of Davenport to the town of Meredith in Delaware county;" and that it be referred to a select committee, consisting of Mr. Harvey, Mr. Burhans and Mr. Wilkinson, to report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill for the incorporation of the Kingsborough Academy, and that the same be referred to a select committee, consisting of Mr. Odell, Mr. Loomis and Mr. Beecher, to report complete.

*Ordered*, That the committee of the whole be discharged from the consideration of the bill entitled "An act to authorise the common council of the city of New-York to alter the map of said city," and that the same be referred to a select committee, consisting of Mr. Clinch, Mr. Ringgold and Mr. Crowell, to report complete.

In pursuance of previous notice, Mr. Wetmore asked for and obtained leave to bring in a bill, entitled "An act in relation to the Humane society of the city of New-York;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Wetmore made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wetmore, and it was unanimously determined in the affirmative.

Mr. Williams offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote just taken on the bill to incorporate the Susquehannah steam navigation company, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill to alter the charter of the Saugerties and Woodstock turnpike company, and that the same be referred to a select committee, consisting of Mr. Burke, Mr. Thorn and Mr. Finch, to report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to laying out a public highway in the town of Geneseo," and that the same be referred to a select committee, consisting of Mr. Patterson, Mr. Tomlinson and Mr. Burke, to report complete.

Mr. Roosevelt gave notice that he would ask leave to introduce a bill to compel creditors who shall cause their debtors to be imprisoned, to support such debtors while in jail, if unable to support themselves.

**Ordered,** That Mr. Carpenter, Mr. Hicks and Mr. Jackson have leave of absence for three days each; and Mr. A. Woodworth for the remainder of the session.

**Ordered,** That the bill entitled "An act authorising the sale of certain lands in the village of Lewiston," be taken from the general orders, and referred to a select committee, consisting of Mr. M'Neil, Mr. A. Clark and Mr. Moseley, to report the same complete.

**Ordered,** That the committee of the whole be discharged from the further consideration of the bill for the relief of Enos Stone, and that it be referred to a select committee, consisting of Mr. E. Strong, Mr. D. Sibley and Mr. A. Clark, to report complete.

**Ordered,** That the committee of the whole be discharged from the further consideration of the bill entitled "An act to incorporate the Bushwick bridge company," and also the bill entitled "An act to incorporate the Williamsburgh and Newtown bridge company;" and that the said bills be recommitted to the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, with instructions to report a bill complete.

In pursuance of previous notice, Mr. Livingston asked for and obtained leave to bring in a bill, entitled "An act respecting costs in certain proceedings and actions;" which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Roosevelt offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the bill to amend the charter of the Utica and Schenectady rail-road company, be referred to a select committee to report complete.

**Ordered,** That the said resolution be laid upon the table.

Mr. Tyrrel offered for the consideration of the House, a resolution, in the words following, to wit:

**Resolved,** That the vote given in relation to the Shamrock benevolent society of the State of New-York, be reconsidered.

**Ordered,** That the said resolution be laid upon the table.

And then the House adjourned until four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

On motion of Mr. Cash,

**Resolved,** That the Clerk of the House procure a new Speaker's chair and desks for the Clerk's department, and cause the fireplaces of the Assembly chamber to be repaired; and pay the same out of the contingent fund of this House.

The House then again resolved itself into a committee of the



whole, on the bill entitled "An act to provide for the construction of a rail-road from Attica to Buffalo;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Horton, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Tyrrel, Mr. T. Lewis and Mr. Moseley, to be conformed in its general provisions to the Utica and Syracuse rail-road bill.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the payment of Jacob Trumbour for surveying the Erie and Champlain canals;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Horton, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Horton, from the said committee, reported progress, and asked for and obtained leave to sit again.

And then the House adjourned until nine o'clock to-morrow morning.

## TUESDAY, MAY 5, 1835.

The House met pursuant to adjournment.

The petition of Monsieur Plantou of Philadelphia, praying for the appointment of a committee to examine certain improved models for propelling steam-boats, was read, and referred to a select committee, consisting of Mr. D. Sibley, Mr. Wager and Mr. Tyrrel.

Mr. Patterson, from the select committee to which was referred the bill entitled "An act in relation to laying out a public highway in the town of Geneseo," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Mr. E. Strong, from the select committee to which was referred the engrossed bill from the Senate, entitled "An act for the relief



of Enos Stone," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House, and the bill ordered to a third reading.

Mr. M'Neil, from the select committee to which was referred the bill entitled "An act authorising the sale of certain lands in the village of Lewiston," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burke, from the select committee to which was referred the bill entitled "An act to divide the town of Hinsdale in the county of Cattaraugus," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Burke, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Saugerties and Woodstock turnpike company,'- passed April 21st, 1828," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Ringgold, from the select committee to which was referred the bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to provide for the assessment of the damages sustained by John M'Intyre and others on the Champlain canal;" the engrossed bill entitled "An act for the relief of Jane Barlow;" the engrossed bill entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette;" the engrossed bill entitled "An act to regulate the taxation of the accounts of district attorneys," and the engrossed bill entitled "An act in relation to the Humane society of the city of New-York," and find the said bills severally correctly engrossed.

**Ordered,** That the said bills be laid upon the table.

Mr. M. H. Sibley, from the select committee to which was referred the bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Debates were had upon the said report; and the same being amended,

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report as amended, and it was determined in the affirmative.

**Ordered,** That the bill be engrossed.

Mr. Herttell, from the select committee to which was referred the memorial of sundry inhabitants of the city of New-York, in behalf of such soldiers of the revolutionary war as are citizens of this State, reported, and recommended that the subject be referred to the next Legislature.

[See Document No. 386.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The engrossed bill entitled "An act to authorise the raising of money for the support of the Lancaster school in the city of Hudson," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Pettit
Mr. Anthony	Mr. J. Haskell	Mr. Phillips
Mr. Beecher	Mr. Healy	Mr. Philo
Mr. Benjamin	Mr. Hendee	Mr. Plumb
Mr. Bennet	Mr. Herttell	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Rice
Mr. G. Brown	Mr. Hiller	Mr. Richmond
Mr. Burhans	Mr. Hillyer	Mr. Ringgold
Mr. Burke	Mr. Horton	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Burr	Mr. Jones	Mr. Shepard
Mr. Cadwell	Mr. Judd	Mr. D. Sibley
Mr. Cash	Mr. Kent	Mr. M. H. Sibley

Mr. C. Clark	Mr. King	Mr. Springer
Mr. J. Clark	Mr. Krum	Mr. Stevens
Mr. Clinch	Mr. J. W. Lewis	Mr. C. Strong
Mr. Coe	Mr. Livingston	Mr. E. Strong
Mr. Conklin	Mr. Lockwood	Mr. Suffern
Mr. Crain	Mr. Lytle	Mr. Thorn
Mr. Crary	Mr. Mallory	Mr. Tillinghast
Mr. Crosby	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Davis	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Murphy	Mr. Waldron
Mr. Denniston	Mr. Niles	Mr. Wetmore
Mr. Eldred	Mr. Odell	Mr. Wheeler
Mr. Finch	Mr. Ostrom	Mr. Wilcoxson
Mr. Fisher	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Griswold	Mr. W. S. Paddock	Mr. Williams
Mr. Groom	Mr. Palmer	Mr. Woodbury
Mr. Hall	Mr. Patterson	Mr. W. Woodworth
Mr. Harvey	Mr. Peck	Mr. Wylie

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*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Lake Champlain steam-boat navigation company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 79 }  
{ NAYS 21 }

Those who voted in the affirmative are

Mr. Anthony	Mr. A. Hascall	Mr. P. W. Paddock
Mr. Beecher	Mr. Healy	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Hildreth	Mr. Plumb
Mr. Blatchly	Mr. Hiller	Mr. Powers
Mr. Brooks	Mr. Hillyer	Mr. Richmond
Mr. Burhans	Mr. Horton	Mr. Seger
Mr. Barnum	Mr. Hough	Mr. Shafer
Mr. Burr	Mr. Jones	Mr. Shepard
Mr. Cadwell	Mr. Judd	Mr. D. Sibley
Mr. Cash	Mr. Kent	Mr. M. H. Sibley
Mr. C. Clark	Mr. King	Mr. Springer
Mr. Coe	Mr. Krum	Mr. Stevens
Mr. Crain	Mr. Livingston	Mr. C. Strong
Mr. Crary	Mr. Lockwood	Mr. Suffern

Mr. Crosby	Mr. Loomis	Mr. Tomlinson
Mr. Crowell	Mr. Lytle	Mr. Tyrrel
Mr. Davis	Mr. Mallory	Mr. Van Bergen
Mr. Dayan	Mr. M'Cluer	Mr. Wager
Mr. Denniston	Mr. M'Kie	Mr. Waldron
Mr. Eldred	Mr. Moore	Mr. Wilcoxson
Mr. Finch	Mr. Moseley	Mr. Wilkinson
Mr. Fisher	Mr. Murphy	Mr. Williams
Mr. Griswold	Mr. Niles	Mr. Woodbury
Mr. Groom	Mr. Odell	Mr. W. Woodworth
Mr. Hall	Mr. Ostrom	Mr. Wylie
Mr. Harvey		

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Those who voted in the negative are

Mr. Adams	Mr. J. Haskell	Mr. Preston
Mr. G. Brown	Mr. Herttell	Mr. Ringgold
Mr. Burke	Mr. J. W. Lewis	Mr. Roosevelt
Mr. Carr	Mr. W. S. Paddock	Mr. E. Strong
Mr. Clinch	Mr. Palmer	Mr. Thorn
Mr. Conklin	Mr. Patterson	Mr. Tillinghast
Mr. Cuykendall	Mr. Peck	Mr. Wetmore

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The engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the village of Geneseo,' passed April 21, 1832," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Herttell	Mr. Plumb
Mr. G. Brown	Mr. Hildreth	Mr. Powers
Mr. Burhans	Mr. Hiller	Mr. Richmond
Mr. Burke	Mr. Hillyer	Mr. Ringgold
Mr. Barnum	Mr. Horton	Mr. Roosevelt
Mr. Burr	Mr. Hough	Mr. Seger
Mr. Cadwell	Mr. Jones	Mr. Shafer
Mr. Carr	Mr. Judd	Mr. Shepard
Mr. Cash	Mr. Kent	Mr. D. Sibley
Mr. C. Clark	Mr. King	Mr. M. H. Sibley
Mr. Clinch	Mr. Krum	Mr. Springer
Mr. Coe	Mr. J. W. Lewis	Mr. Stevens

Mr. Conklin	Mr. Livingston	Mr. C. Strong
Mr. Crain	Mr. Lockwood	Mr. E. Strong
Mr. Crary	Mr. Loomis	Mr. Suffern
Mr. Crosby	Mr. Lytle	Mr. Thorn
Mr. Crowell	Mr. Mallory	Mr. Tillinghast
Mr. Cuykendall	Mr. M'Cluer	Mr. Tyrrel
Mr. Davis	Mr. M'Kie	Mr. Van Bergen
Mr. Dayan	Mr. Moseley	Mr. Wager
Mr. Denniston	Mr. Murphy	Mr. Waldron
Mr. Eldred	Mr. Niles	Mr. Wetmore
Mr. Farwell	Mr. Odell	Mr. Wheeler
Mr. Finch	Mr. Ostrom	Mr. Wilcoxson
Mr. Fisher	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Griswold	Mr. W. S. Paddock	Mr. Williams
Mr. Groom	Mr. Palmer	Mr. Woodbury
Mr. Hall	Mr. Patterson	Mr. W. Woodworth
Mr. A. Hascall	Mr. Peck	Mr. Wylie

66

Those who voted in the negative are

Mr. Harvey

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to incorporate the Keeseville academy."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the Dover and Union-Vale turnpike company,' passed April 23d, 1835."

Also the bill entitled "An act to authorise the supervisors of the county of Yates to raise an additional sum of money to complete the court-house and jail, and for other purposes."

Also the bill entitled "An act in relation to Salmon river in the county of Oswego."

Also the bill entitled "An act to authorise Joseph B. Cheeseman to build a dock in the town of North-Hempstead."

Also the bill entitled "An act to repeal so much of the act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' passed March 31st, 1815, and an act to amend the same, passed April 2d, 1819, as relates to the turnpike leading from Palmyra to Elbridge, (except the bridge and causeway or roads over the Seneca river and marshes.)"

Also the bill entitled "An act further to relieve certain taxable inhabitants of the village of Lansingburgh."

Also the bill entitled "An act authorising Felix Tracy to erect a dam across the Genesee river."

Also the bill entitled "An act to enable the mayor, recorder, aldermen and commonalty of the city of Schenectady to supply the said city with water for the extinguishment of fires, and for other purposes."

Also the bill entitled "An act to incorporate the Gibbs and Jefferson turnpike road company."

Also the bill entitled "An act to authorise Samuel W. Bard to establish a ferry between Haverstraw and Peekskill."

Also the bill entitled "An act to authorise Ward Hunter to establish a ferry between Peekskill and Haverstraw."

Also the bill entitled "An act to incorporate the Le Roy and Brockport M'Adam road company."

Also the bill entitled "An act to incorporate the North-Hempstead and Flushing turnpike road and bridge company."

Also the bill entitled "An act authorising the appointment of an additional supreme court commissioner for the county of Chautauque."

W. L. MARCY.

*Albany, May 4, 1835.*

Mr. Dayan gave notice that he would, on some future day, ask leave to bring in a bill for the payment of certain officers of the government, and for other purposes.

The Senate returned the bill entitled "An act to incorporate the Westchester and Putnam insurance company;" the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school monies;" the bill entitled "An act to amend the Revised Statutes, relative to grants of land under water;" the bill entitled "An act to provide for the payment of costs in certain cases;" the bill entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1823;" and the bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes."

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act to abolish public executions," and the bill entitled "An act to vest certain powers in the trustees of the village of Lansingburgh."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and the bill entitled "An act to abolish public executions," was referred to the committee on the judiciary; and the bill entitled "An act to vest certain powers in the trustees of the village of Lansingburgh," was referred to the committee on the incorporation of cities and villages, severally to consider and report thereon.

The engrossed bill from the Senate, entitled "An act to amend an act entitled 'An act to incorporate the village of Owego,'" was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Healy	Mr. Phillips
Mr. Beecher	Mr. Hendee	Mr. Philo
Mr. Benjamin	Mr. Hildreth	Mr. Plumb
Mr. Bennet	Mr. Hiller	Mr. Powers
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burhans	Mr. Hough	Mr. Seger
Mr. Burke	Mr. Jones	Mr. Shafer
Mr. Barnum	Mr. Judd	Mr. Shepard
Mr. Burr	Mr. Kent	Mr. D. Sibley
Mr. Cadwell	Mr. King	Mr. M. H. Sibley
Mr. Carr	Mr. Krum	Mr. Springer
Mr. Cash	Mr. J. W. Lewis	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. Coe	Mr. Lockwood	Mr. E. Strong
Mr. Conklin	Mr. Loomis	Mr. Suffern
Mr. Crain	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. M'Kie	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Davis	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Murphy	Mr. Waldron
Mr. Denniston	Mr. Niles	Mr. Wetmore
Mr. Eldred	Mr. Odell	Mr. Wheeler
Mr. Farwell	Mr. Ostrom	Mr. Wilcoxson
Mr. Finch	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Fisher	Mr. W. S. Paddock	Mr. Williams
Mr. Griswold	Mr. Palmer	Mr. Woodbury
Mr. Groom	Mr. Patterson	Mr. W. Woodworth
Mr. Hall	Mr. Peck	Mr. Wylie
Mr. A. Hascall		

Those who voted in the negative are

Mr. Harvey	Mr. J. Haskell	2
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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to provide for the construction of a rail-road from Auburn to Rochester," was read the third time.

Mr. Speaker put the question whether the House would agree



to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 66 }  
{ NAYS 40 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hildreth	Mr. Patterson
Mr. Beecher	Mr. Hillyer	Mr. Plumb
Mr. Brooks	Mr. Hough	Mr. Powers
Mr. G. Brown	Mr. Judd	Mr. Preston
Mr. Barnum	Mr. Kent	Mr. Richmond
Mr. Burr	Mr. King	Mr. Roosevelt
Mr. Cadwell	Mr. Krum	Mr. Seger
Mr. C. Clark	Mr. T. Lewis	Mr. Shepard
Mr. J. Clark	Mr. Livingston	Mr. D. Sibley
Mr. Cee	Mr. Lockwood	Mr. M. H. Sibley
Mr. Crain	Mr. Loomis	Mr. Speaker
Mr. Crosby	Mr. Lytle	Mr. Springer
Mr. Crowell	Mr. Mallory	Mr. Stevens
Mr. Cuykendall	Mr. M'Cluer	Mr. E. Strong
Mr. Farwell	Mr. M'Kie	Mr. Tomlinson
Mr. Fisher	Mr. M'Neil	Mr. Tyrrel
Mr. Griswold	Mr. Moore	Mr. Van Bergen
Mr. Groom	Mr. Moseley	Mr. Wager
Mr. Hall	Mr. Niles	Mr. Waldron
Mr. Harvey	Mr. Odell	Mr. Wilcoxson
Mr. A. Hascall	Mr. Palmer	Mr. Wilkinson
Mr. Hendee	Mr. Parker	Mr. Woodbury

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Those who voted in the negative are

Mr. Anthony	Mr. Finch	Mr. Philo
Mr. Benjamin	Mr. J. Haskell	Mr. Rice
Mr. Bennet	Mr. Healy	Mr. Ringgold
Mr. Blatchly	Mr. Herttell	Mr. Shafer
Mr. Burhans	Mr. Hiller	Mr. C. Strong
Mr. Burke	Mr. Horton	Mr. Suffern
Mr. Carr	Mr. Jones	Mr. Thorn
Mr. Cash	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Conklin	Mr. Murphy	Mr. Wetmore
Mr. Crary	Mr. P. W. Paddock	Mr. Wheeler
Mr. Davis	Mr. W. S. Paddock	Mr. Williams
Mr. Dayan	Mr. Peck	Mr. W. Woodworth
Mr. Denniston	Mr. Phillips	Mr. Wylie
Mr. Eldred		

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Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An



act in relation to laying out highways in the town of Geneseo," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

Mr. Burke offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote taken on the final question for the incorporation of the rail-road from Rochester to Auburn, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

Mr. Burke offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the vote on the final question taken on the bill to incorporate the Lake Champlain steam navigation company, be reconsidered.

*Ordered*, That the said resolution be laid upon the table.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Holmes Hutchinson;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. Hascall, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the negative.

{ NAYS 46 }  
 { AYES 44 }

The ayes and nays being required by ten members,

Those who voted in the negative are,

Mr. Anthony	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Preston
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Hough	Mr. Roosevelt
Mr. Burhans	Mr. Krum	Mr. Seger
Mr. Burke	Mr. T. Lewis	Mr. D. Sibley
Mr. Burr	Mr. M'Neil	Mr. M. H. Sibley
Mr. Carr	Mr. Moore	Mr. E. Strong
Mr. Cash	Mr. Moseley	Mr. Suffern

Mr. C. Clark	Mr. Niles	Mr. Thorn
Mr. Clinch	Mr. Ostrom	Mr. Tillinghast
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Waldron
Mr. Eldred	Mr. Palmer	Mr. Williams
Mr. Finch	Mr. Patterson	Mr. W. Woodworth
Mr. J. Haskell	Mr. Plumb	Mr. Wylie
Mr. Healy		

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Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Philo
Mr. Beecher	Mr. Herttelf	Mr. Rice
Mr. Benjamin	Mr. Horton	Mr. Shafer
Mr. Brooks	Mr. King	Mr. Speaker
Mr. Barnum	Mr. Livingston	Mr. Springer
Mr. Coe	Mr. Loomis	Mr. Stevens
Mr. Crary	Mr. Lytle	Mr. C. Strong
Mr. Crowell	Mr. Mallory	Mr. Tomlinson
Mr. Dayan	Mr. M'Cluer	Mr. Tyrrel
Mr. Denniston	Mr. Murphy	Mr. Wager
Mr. Farwell	Mr. Odell	Mr. Wheeler
Mr. Fisher	Mr. W. S. Paddock	Mr. Wilcoxson
Mr. Gray	Mr. Parker	Mr. Wilkinson
Mr. Griswold	Mr. Pettit	Mr. Woodbury
Mr. Groom	Mr. Phillips	

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The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of the First Christian party of Oneida Indians;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. Hascall, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act for the relief of Adonijah Carter;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. A. Hascall, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same with an amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to authorise the raising by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act to change the location of the northern termination of the Chenango canal," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

The House then resolved itself into a committee of the whole, on the bill entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes;" the engrossed bill from the Senate, entitled "An act to amend the act relating to the militia and public defence;" and the engrossed bill from the Senate, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Carr, from the said committee, reported, that the committee had made some progress in the said bills, and while proceeding therein, it was ascertained there was not a quorum of members present.

Thereupon,

The roll of members being called, and a quorum appearing, the House adjourned till nine o'clock to-morrow morning.

## WEDNESDAY, MAY 6, 1835.

The House met pursuant to adjournment.

*Ordered*, That the bill entitled "An act to divide the town of Niagara in the county of Niagara," be taken from the general order, and be referred to a select committee, consisting of Mr. M'Neil, Mr. A. Clark and Mr. Moseley, to report complete.

Mr. Adams, from the committee on grievances, to which was referred the petition of G. T. and H. Perry, praying compensation for damages alleged to have been sustained in consequence of widening the aqueduct on the Erie canal at New-Boston, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Odell, from the select committee to which was referred the bill entitled "An act to incorporate the Kingsborough academy," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

Five several messages from the Senate were read, informing that they have passed the bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay;" the bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge

across Beaver creek;" the bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne;" the bill entitled "An act to authorise Richard Udall to build a dock in the town of North-Hempstead," and the bill entitled "An act in relation to the improvement of the navigation of the Hudson river," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act further to amend the act to incorporate the New-York and Erie rail-road company, passed April 24th, 1832," with the amendments therewith delivered.

The said bill and amendments were read.

*Ordered*, That the same be laid upon the table.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of the First Christian party of Oneida Indians;" the engrossed bill entitled "An act for the relief of Adonijah Carter," and the engrossed bill entitled "An act authorising the sale of certain lands in the village of Lewiston," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

Mr. Roosevelt, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act to abolish public executions," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The engrossed bill from the Senate, entitled "An act to erect a new town from parts of the towns of Vernon and Augusta in Oneida county, and of Smithfield and Lenox in Madison county, and to annex the same to the latter county," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the negative.

{ NAYS 59 }  
{ AYES 36 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Adams  
Mr. Anthony  
Mr. Barnes  
Mr. Beecher  
Mr. Brooks

Mr. Judd  
Mr. Krum  
Mr. J. W. Lewis  
Mr. Lockwood  
Mr. Loomis

Mr. Seger  
Mr. Shafer  
Mr. Shepard  
Mr. Simmons  
Mr. Speaker

Mr. Burhans	Mr. Lytle	Mr. Springer
Mr. Burke	Mr. Mallory	Mr. Stevens
Mr. Cadwell	Mr. M'Neil	Mr. C. Strong
Mr. Conklin	Mr. Moore	Mr. Suffern
Mr. Crosby	Mr. Moseley	Mr. Thorn
Mr. Crowell	Mr. Murphy	Mr. Tyrrel
Mr. Dayan	Mr. Odell	Mr. Van Bergen
Mr. Denniston	Mr. P. W. Paddock	Mr. Wager
Mr. Finch	Mr. Palmer	Mr. Wetmore
Mr. Griswold	Mr. Pettit	Mr. Wheeler
Mr. Hall	Mr. Phillips	Mr. Wilcoxson
Mr. Harvey	Mr. Philo	Mr. Wilkinson
Mr. Herttell	Mr. Rice	Mr. Williams
Mr. Hildreth	Mr. Richmond	Mr. Wylie
Mr. Hiller	Mr. Roosevelt	

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Those who voted in the affirmative are

Mr. Benjamin	Mr. Cuykendall	Mr. M'Cluer
Mr. Bennet	Mr. Eldred	Mr. Niles
Mr. Blatchly	Mr. Fisher	Mr. Ostrom
Mr. A. Brown	Mr. Gray	Mr. Patterson
Mr. G. Brown	Mr. Groom	Mr. Powers
Mr. Barnum	Mr. A. Hascall	Mr. Preston
Mr. Burr	Mr. J. Haskell	Mr. D. Sibley
Mr. Carr	Mr. Healy	Mr. E. Strong
Mr. Cash	Mr. Hendee	Mr. Tillinghast
Mr. C. Clark	Mr. Hillyer	Mr. Waldron
Mr. J. Clark	Mr. Horton	Mr. Woodbury
Mr. Crary	Mr. Hough	Mr. W. Woodworth

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have rejected the same.

*Ordered*, That the bill to incorporate the Hudson river seminary, be referred to a select committee, consisting of Mr. Van Bergen, Mr. Stevens and Mr. Thorn, to report complete.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill for the incorporation of the Lumberland and Bethel turnpike road company, and that the same be referred to a select committee, consisting of Mr. Eldred, Mr. Denniston and Mr. Dayan, to report complete.

The engrossed bill entitled "An act for the relief of Jane Barlow," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of the First Christian party of Oneida Indians," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act for the relief of Enos Stone," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act for the relief of Adonijah Carter," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. J. Haskell	Mr. Philo
Mr. Anthony	Mr. Healy	Mr. Powers
Mr. Barnes	Mr. Hendee	Mr. Preston
Mr. Beecher	Mr. Herttell	Mr. Quackenboss
Mr. Benjamin	Mr. Hildreth	Mr. Rice
Mr. Bennet	Mr. Hiller	Mr. Richmond
Mr. Blatchly	Mr. Horton	Mr. Roosevelt
Mr. Brooks	Mr. Hough	Mr. Seger
Mr. A. Brown	Mr. Hutchinson	Mr. Shafer
Mr. G. Brown	Mr. Jones	Mr. Shepard
Mr. Burhans	Mr. Judd	Mr. D. Sibley
Mr. Burke	Mr. Kent	Mr. Simmons
Mr. Barnum	Mr. Krum	Mr. Speaker
Mr. Burr	Mr. J. W. Lewis	Mr. Springer
Mr. Cadwell	Mr. Livingston	Mr. Stetson
Mr. Carr	Mr. Lockwood	Mr. Stevens
Mr. A. Clark	Mr. Loomis	Mr. C. Strong
Mr. C. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Suffern
Mr. Conklin	Mr. McCluer	Mr. Thorn
Mr. Crain	Mr. McNeil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Moseley	Mr. Tyrrel
Mr. Crowell	Mr. Murphy	Mr. Van Bergen
Mr. Dayan	Mr. Niles	Mr. Wager
Mr. Denniston	Mr. Odell	Mr. Waldron
Mr. Eldred	Mr. Ostrom	Mr. Wetmore
Mr. Farwell	Mr. P. W. Paddock	Mr. Wheeler
Mr. Finch	Mr. Palmer	Mr. Wilkinson
Mr. Fisher	Mr. Patterson	Mr. Williams
Mr. Gray	Mr. Peck	Mr. Woodbury
Mr. Griswold	Mr. Pettit	Mr. W. Woodworth
Mr. Groom	Mr. Phillips	Mr. Wylie
Mr. Hall		

Those who voted in the negative are

Mr. Cuykendall  
Mr. Harvey

Mr. A. Hascall

Mr. W. S. Paddock

4

*Ordered,* That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. M'Neil, from the select committee to which was referred the bill entitled "An act to divide the town of Niagara in the county of Niagara," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Wetmore, from the committee on colleges, academies and common schools, to which were referred the several communications from the Superintendent of Common Schools, and also that part of the Governor's annual message relating to the subject of public instruction, reported; and asked leave to introduce a bill.

[See Document No. 382.]

*Ordered,* That leave be given to bring in such bill.

Mr. Wetmore, according to leave, brought in the said bill, entitled "An act to amend chapter thirteenth of part first of the Revised Statutes, entitled 'Of public instruction;'" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

*Ordered,* That four times the usual number of copies of the said report be printed for the use of the Legislature.

Mr. Dayan, from the select committee to which was referred the bill entitled "An act to incorporate the Lamberland and Bethel turnpike road company," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then proceeded to the consideration of the amendments of the Senate to the bill entitled "An act further to amend the charter of the New-York and Erie rail-road company."

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 02 }



## Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Plumb
Mr. Anthony	Mr. Harvey	Mr. Powers
Mr. Barnes	Mr. A. Hascall	Mr. Preston
Mr. Beecher	Mr. Healy	Mr. Quackenbush
Mr. Benjamin	Mr. Hendee	Mr. Rice
Mr. Bennet	Mr. Hildreth	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Roosevelt
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shafer
Mr. G. Brown	Mr. Hough	Mr. D. Sibley
Mr. Burhans	Mr. Hutchinson	Mr. Simmons
Mr. Burke	Mr. Jones	Mr. Speaker
Mr. Barnum	Mr. Kent	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. Cash	Mr. J. W. Lewis	Mr. Stevens
Mr. A. Clark	Mr. Livingston	Mr. C. Strong
Mr. C. Clark	Mr. Loomis	Mr. E. Strong
Mr. Coe	Mr. Lytle	Mr. Suffern
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Cluer	Mr. Tillinghast
Mr. Crosby	Mr. M'Neil	Mr. Tomlinson
Mr. Crowell	Mr. Moore	Mr. Tyrrel
Mr. Cuykendall	Mr. Niles	Mr. Van Bergen
Mr. Dayan	Mr. Odell	Mr. Wager
Mr. Denniston	Mr. Ostrom	Mr. Waldron
Mr. Eldred	Mr. P. W. Paddock	Mr. Wheeler
Mr. Farwell	Mr. Palmer	Mr. Wilcoxson
Mr. Finch	Mr. Patterson	Mr. Wilkinson
Mr. Fisher	Mr. Peck	Mr. Williams
Mr. Gray	Mr. Pettit	Mr. Woodbury
Mr. Griswold	Mr. Phillips	Mr. W. Woodworth
Mr. Groom	Mr. Philo	Mr. Wylie

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## Those who voted in the negative are

Mr. J. Haskell      Mr. Herttell

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to incorporate the Troy and Schenectady rail-road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 99 }  
{ NAYS 14 }



Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Plumb
Mr. Anthony	Mr. A. Hascall	Mr. Powers
Mr. Barnes	Mr. Healy	Mr. Preston
Mr. Benjamin	Mr. Hendee	Mr. Quackenboss
Mr. Bennet	Mr. Hildreth	Mr. Richmond
Mr. Blatchly	Mr. Hiller	Mr. Roosevelt
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Hough	Mr. Shafer
Mr. G. Brown	Mr. Hutchinson	Mr. Shepard
Mr. Burhans	Mr. Jones	Mr. D. Sibley
Mr. Burke	Mr. Judd	Mr. Simmons
Mr. Barnum	Mr. Krum	Mr. Speaker
Mr. Cadwell	Mr. J. W. Lewis	Mr. Springer
Mr. Cash	Mr. Livingston	Mr. Stetson
Mr. A. Clark	Mr. Lockwood	Mr. Stevens
Mr. C. Clark	Mr. Loomis	Mr. C. Strong
Mr. Conklin	Mr. Lytle	Mr. E. Strong
Mr. Crain	Mr. Mallory	Mr. Thorn
Mr. Crosby	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Cuykendall	Mr. Moore	Mr. Van Bergen
Mr. Dayan	Mr. Moseley	Mr. Wager
Mr. Dennaiston	Mr. Niles	Mr. Waldron
Mr. Eldred	Mr. Ostrom	Mr. Wheeler
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Fisher	Mr. Palmer	Mr. Wilkinson
Mr. Gray	Mr. Patterson	Mr. Woodbury
Mr. Griswold	Mr. Peck	Mr. W. Woodworth
Mr. Groom	Mr. Pettit	Mr. Wylie
Mr. Hall	Mr. Phillips	

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Those who voted in the negative are

Mr. Beecher	Mr. Horton	Mr. Rice
Mr. Carr	Mr. Murphy	Mr. Suffern
Mr. Finch	Mr. Odell	Mr. Tillinghast
Mr. J. Haskell	Mr. W. S. Paddock	Mr. Williams
Mr. Herttell	Mr. Philo	

14

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to provide for the construction of a rail-road from Greenbush to West-Stockbridge," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 75 }  
{ NAYS 20 }

Those who voted in the affirmative are

Mr. Barnes	Mr. Harvey	Mr. Peck
Mr. Beecher	Mr. A. Hascall	Mr. Pettit
Mr. Benjamin	Mr. Hendee	Mr. Philo
Mr. Bennet	Mr. Hildreth	Mr. Plumb
Mr. Blatchly	Mr. Hiller	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Quackenboss
Mr. G. Brown	Mr. Hough	Mr. Richmond
Mr. Burhans	Mr. Hutchinson	Mr. Roosevelt
Mr. Burke	Mr. Jones	Mr. Seger
Mr. Barnum	Mr. Judd	Mr. D. Sibley
Mr. Cadwell	Mr. Krum	Mr. Speaker
Mr. A. Clark	Mr. Livingston	Mr. Springer
Mr. C. Clark	Mr. Lockwood	Mr. Stetson
Mr. Coe	Mr. Loomis	Mr. E. Strong
Mr. Crary	Mr. Lytle	Mr. Thorn
Mr. Crosby	Mr. Mallory	Mr. Tomlinson
Mr. Crowell	Mr. M'Cluer	Mr. Tyrrel
Mr. Cuykendall	Mr. M'Neil	Mr. Van Bergen
Mr. Denniston	Mr. Moore	Mr. Wager
Mr. Farwell	Mr. Moseley	Mr. Waldron
Mr. Finch	Mr. Niles	Mr. Wheeler
Mr. Fisher	Mr. Odell	Mr. Wilcoxson
Mr. Gray	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Griswold	Mr. Palmer	Mr. Woodbury
Mr. Hall	Mr. Patterson	Mr. Wylie

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Those who voted in the negative are

Mr. Adams	Mr. Herttell	Mr. Phillips
Mr. Carr	Mr. Horton	Mr. Powers
Mr. Conklin	Mr. Kent	Mr. Simmons
Mr. Dayan	Mr. J. W. Lewis	Mr. Tillinghast
Mr. Groom	Mr. Murphy	Mr. Williams
Mr. J. Haskell	Mr. Ostrom	Mr. W. Woodworth
Mr. Healy	Mr. W. S. Paddock	

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Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to divide the town of Hinsdale in the county of Cattaraugus;" and the engrossed bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The engrossed bill entitled "An act to provide for the construction of a rail-road from Syracuse to the Onondaga stone quarries," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 12 }.

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Groom	Mr. Philo
Mr. Barnes	Mr. Hall	Mr. Powers
Mr. Beecher	Mr. Harvey	Mr. Preston
Mr. Benjamin	Mr. A. Hascall	Mr. Quackenboss
Mr. Bennet	Mr. Healy	Mr. Richmond
Mr. Blatchly	Mr. Hendee	Mr. Roosevelt
Mr. Brooks	Mr. Hildreth	Mr. Seger
Mr. A. Brown	Mr. Hiller	Mr. Shafer
Mr. G. Brown	Mr. Hillyer	Mr. Shepard
Mr. Burhans	Mr. Hough	Mr. D. Sibley
Mr. Burke	Mr. Hutchinson	Mr. Simmons
Mr. Barnum	Mr. Jones	Mr. Speaker
Mr. Burr	Mr. Judd	Mr. Springer
Mr. Cadwell	Mr. Kent	Mr. Stetson
Mr. Cash	Mr. Krum	Mr. Stevens
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Livingston	Mr. E. Strong
Mr. J. Clark	Mr. Loomis	Mr. Thorn
Mr. Coe	Mr. Lytle	Mr. Tomlinson
Mr. Crary	Mr. Mallory	Mr. Tyrrel
Mr. Crosby	Mr. M'Cluer	Mr. Van Bergen
Mr. Crowell	Mr. M'Neil	Mr. Wager
Mr. Cuykendall	Mr. Moore	Mr. Waldron
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Niles	Mr. Wilcoxson
Mr. Eldred	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. Ostrom	Mr. Woodbury
Mr. Finch	Mr. Palmer	Mr. W. Woodworth
Mr. Fisher	Mr. Patterson	Mr. Wyhe
Mr. Gray	Mr. Peck	

92

Those who voted in the negative are

Mr. Carr	Mr. Horton	Mr. Suffern
Mr. Conklin	Mr. Murphy	Mr. Tillinghast
Mr. J. Haskell	Mr. Phillips	Mr. Wetmore
Mr. Herttell	Mr. Rice	Mr. Williams

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The engrossed bill entitled "An act to provide for the construction of a rail-road from Rochester to Charlotte," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 16 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Parker
Mr. Anthony	Mr. Harvey	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Peck
Mr. Benjamin	Mr. Healy	Mr. Pettit
Mr. Bennet	Mr. Hendee	Mr. Plumb
Mr. Blatchly	Mr. Hildreth	Mr. Powers
Mr. A. Brown	Mr. Hiller	Mr. Preston
Mr. G. Brown	Mr. Hillyer	Mr. Quackenboss
Mr. Burhans	Mr. Hough	Mr. Richmond
Mr. Burke	Mr. Hutchinson	Mr. Roosevelt
Mr. Barnum	Mr. Jones	Mr. Seger
Mr. Burr	Mr. Judd	Mr. Shafer
Mr. Cash	Mr. Kent	Mr. D. Sibley
Mr. A. Clark	Mr. King	Mr. Simmons
Mr. C. Clark	Mr. Krum	Mr. Speaker
Mr. J. Clark	Mr. J. W. Lewis	Mr. Springer
Mr. Coe	Mr. Livingston	Mr. Stetson
Mr. Crain	Mr. Lockwood	Mr. C. Strong
Mr. Crary	Mr. Loomis	Mr. E. Strong
Mr. Crosby	Mr. Lytle	Mr. Thorn
Mr. Crowell	Mr. Mallory	Mr. Tomlinson
Mr. Cuykendall	Mr. M'Cluer	Mr. Tyrrel
Mr. Dayan	Mr. M'Neil	Mr. Van Bergen
Mr. Denniston	Mr. Moore	Mr. Wager
Mr. Eldred	Mr. Moseley	Mr. Waldron
Mr. Farwell	Mr. Niles	Mr. Wheeler
Mr. Finch	Mr. Odell	Mr. Wilcoxson
Mr. Fisher	Mr. Ostrom	Mr. Wilkinson
Mr. Gray	Mr. P. W. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Palmer	Mr. W. Woodworth
Mr. Groom		

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Those who voted in the negative are

Mr. Barnes	Mr. Horton	Mr. Shepard
Mr. Brooks	Mr. Murphy	Mr. Suffern
Mr. Cadwell	Mr. W. S. Paddock	Mr. Tillinghast
Mr. Carr	Mr. Phillips	Mr. Wetmore
Mr. J. Haskell	Mr. Rice	Mr. Williams
Mr. Herttell		

16

*Ordered,* That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to continue the charter of the Lenox iron company," was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 79 }  
 { NAYS 25 }

Those who voted in the affirmative are

Mr. Barnes	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. Healy	Mr. Plumb
Mr. Benjamin	Mr. Hendee	Mr. Powers
Mr. Bennet	Mr. Hildreth	Mr. Quackenboss
Mr. Blatchly	Mr. Hiller	Mr. Richmond
Mr. Brooks	Mr. Hillyer	Mr. Seger
Mr. A. Brown	Mr. Horton	Mr. Shepard
Mr. G. Brown	Mr. Hough	Mr. D. Sibley
Mr. Burhans	Mr. Hutchinson	Mr. Simmons
Mr. Burke	Mr. Judd	Mr. Speaker
Mr. Barnum	Mr. Kent	Mr. Springer
Mr. Burr	Mr. Krum	Mr. Stetson
Mr. A. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. C. Clark	Mr. Loomis	Mr. E. Strong
Mr. J. Clark	Mr. Lytle	Mr. Suffern
Mr. Conklin	Mr. Mallory	Mr. Thorn
Mr. Crary	Mr. M'Cluer	Mr. Tomlinson
Mr. Crowell	Mr. M'Neil	Mr. Tyrrel
Mr. Dayan	Mr. Moore	Mr. Van Bergen
Mr. Eldred	Mr. Moseley	Mr. Wager
Mr. Farwell	Mr. Niles	Mr. Waldron
Mr. Finch	Mr. Odell	Mr. Wilcoxson
Mr. Fisher	Mr. Palmer	Mr. Wilkinson
Mr. Gray	Mr. Parker	Mr. Williams
Mr. Griswold	Mr. Patterson	Mr. Woodbury
Mr. Groom	Mr. Peck	Mr. Wylie
Mr. Hall		

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Those who voted in the negative are,

Mr. Adams	Mr. J. Haskell	Mr. Phillips
Mr. Cadwell	Mr. Herttell	Mr. Roosevelt
Mr. Carr	Mr. King	Mr. Shafer
Mr. Cash	Mr. Lockwood	Mr. Stevens
Mr. Coe	Mr. Murphy	Mr. Tillinghast
Mr. Crain	Mr. Ostrom	Mr. Wetmore
Mr. Crosby	Mr. P. W. Paddock	Mr. Wheeler
Mr. Cuykendall	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Harvey		

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**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have rejected the same.

The House then proceeded, by unanimous consent, to the consideration of the resolution heretofore offered by Mr. Burke; the same was again read, in the words following, to wit:

**Resolved,** That the vote on the final question taken on the bill to incorporate the Lake Champlain steam-boat navigation company, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Philo
Mr. Anthony	Mr. Hall	Mr. Plumb
Mr. Barnes	Mr. Harvey	Mr. Powers
Mr. Beecher	Mr. A. Hascall	Mr. Preston
Mr. Benjamin	Mr. Healy	Mr. Richmond
Mr. Bennet	Mr. Hendee	Mr. Roosevelt
Mr. Blatchly	Mr. Hiller	Mr. Seger
Mr. Brooks	Mr. Hillyer	Mr. Shafer
Mr. A. Brown	Mr. Horton	Mr. Shepard
Mr. Burhans	Mr. Hutchinson	Mr. D. Sibley
Mr. Burke	Mr. Jones	Mr. Simmons
Mr. Barnum	Mr. Judd	Mr. Speaker
Mr. Burr	Mr. Kent	Mr. Springer
Mr. Cadwell	Mr. King	Mr. Stetson
Mr. Carr	Mr. Krum	Mr. Stevens
Mr. Cash	Mr. Loomis	Mr. C. Strong
Mr. A. Clark	Mr. Lytle	Mr. Suffern
Mr. C. Clark	Mr. Mallory	Mr. Thorn
Mr. J. Clark	Mr. M'Cluer	Mr. Tillinghast
Mr. Coe	Mr. M'Neil	Mr. Tomlinson
Mr. Conklin	Mr. Moore	Mr. Tyrrel
Mr. Crain	Mr. Moseley	Mr. Van Bergen
Mr. Crary	Mr. Murphy	Mr. Wager
Mr. Crosby	Mr. Odell	Mr. Waldron
Mr. Dayan	Mr. Ostrom	Mr. Wheeler
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Farwell	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Palmer	Mr. Williams
Mr. Fisher	Mr. Parker	Mr. Woodbury
Mr. Gray	Mr. Peck	Mr. Wylie
Mr. Griswold	Mr. Phillips	

Those who voted in the negative are

Mr. Herttell  
Mr. Hough

Mr. Patterson

Mr. E. Strong

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Thereupon,

*Ordered*, That the said bill be referred to a select committee, consisting of Mr. Wilkinson, Mr. Tomlinson and Mr. Burke, to report the same complete.

The engrossed bill from the Senate, entitled "An act to incorporate the Sixth ward benevolent society in the city of Troy," was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 88 }  
{ NAYS 09 }

Those who voted in the affirmative are

Mr. Adams  
Mr. Anthony  
Mr. Barnes  
Mr. Beecher  
Mr. Benjamin  
Mr. Bennet  
Mr. Brooks  
Mr. A. Brown  
Mr. G. Brown  
Mr. Burhans  
Mr. Burke  
Mr. Barnum  
Mr. Burr  
Mr. Cadwell  
Mr. Cash  
Mr. C. Clark  
Mr. J. Clark  
Mr. Conklin  
Mr. Crain  
Mr. Crary  
Mr. Crosby  
Mr. Denniston  
Mr. Eldred  
Mr. Farwell  
Mr. Finch  
Mr. Fisher  
Mr. Gray  
Mr. Griswold  
Mr. Hall  
Mr. Harvey

Mr. J. Haskell  
Mr. Healy  
Mr. Hendee  
Mr. Herttell  
Mr. Hildreth  
Mr. Hiller  
Mr. Hillyer  
Mr. Hough  
Mr. Hutchinson  
Mr. Jones  
Mr. Judd  
Mr. Kent  
Mr. Krum  
Mr. Loomis  
Mr. Lytle  
Mr. Mallory  
Mr. M'Cluer  
Mr. Moore  
Mr. Murphy  
Mr. Niles  
Mr. Odell  
Mr. Ostrom  
Mr. P. W. Paddock  
Mr. W. S. Paddock  
Mr. Parker  
Mr. Peck  
Mr. Pettit  
Mr. Phillips  
Mr. Philo

Mr. Plumb  
Mr. Powers  
Mr. Quackenboss  
Mr. Richmond  
Mr. Roosevelt  
Mr. Seger  
Mr. Shafer  
Mr. Shepard  
Mr. D. Sibley  
Mr. M. H. Sibley  
Mr. Simmons  
Mr. Speaker  
Mr. Springer  
Mr. Stetson  
Mr. Stevens  
Mr. C. Strong  
Mr. Suffern  
Mr. Thorn  
Mr. Tillinghast  
Mr. Tomlinson  
Mr. Van Bergen  
Mr. Wager  
Mr. Waldron  
Mr. Wheeler  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Williams  
Mr. Woodbury  
Mr. Wylie

Those who voted in the negative are

Mr. Blatchly	Mr. Horton	Mr. Preston
Mr. Coe	Mr. King	Mr. E. Strong
Mr. A. Hascall	Mr. Patterson	Mr. Tyrrel

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*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to incorporate the Syracuse fine salt company," was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	59	}
{	NAYS	85	}

Those who voted in the affirmative are

Mr. Adams	Mr. Hildreth	Mr. Philo
Mr. Barnes	Mr. Hiller	Mr. Powers
Mr. Beecher	Mr. Hillyer	Mr. Quackenboss
Mr. Benjamin	Mr. Horton	Mr. Seger
Mr. Brooks	Mr. Hough	Mr. Shepard
Mr. A. Brown	Mr. Hutchinson	Mr. D. Sibley
Mr. Burhans	Mr. King	Mr. Simmons
Mr. Barnum	Mr. Krum	Mr. Speaker
Mr. Cadwell	Mr. Livingston	Mr. Springer
Mr. A. Clark	Mr. Lockwood	Mr. Stevens
Mr. C. Clark	Mr. Loomis	Mr. Suffern
Mr. J. Clark	Mr. Lytle	Mr. Tomlinson
Mr. Crain	Mr. Mallory	Mr. Tyrrel
Mr. Crowell	Mr. Moseley	Mr. Wager
Mr. Dayan	Mr. Niles	Mr. Wilcoxson
Mr. Denniston	Mr. Odell	Mr. Wilkinson
Mr. Farwell	Mr. P. W. Paddock	Mr. Williams
Mr. Fisher	Mr. W. S. Paddock	Mr. Woodbury
Mr. Griswold	Mr. Parker	Mr. Wyhe
Mr. Hall	Mr. Pettit	

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Those who voted in the negative are

Mr. Anthony	Mr. Gray	Mr. Phillips
Mr. Bennet	Mr. Groom	Mr. Plumb
Mr. G. Brown	Mr. Harvey	Mr. Preston
Mr. Burke	Mr. J. Haskell	Mr. Richmond
Mr. Burr	Mr. Healy	Mr. Roosevelt
Mr. Cash	Mr. Hendee	Mr. Shafer
Mr. Coe	Mr. Judd	Mr. C. Strong



Mr. Conklin  
Mr. Crary  
Mr. Cuykendall  
Mr. Eldred  
Mr. Finch

Mr. Kent  
Mr. M'Cluer  
Mr. Ostrom  
Mr. Patterson  
Mr. Peck

Mr. E. Strong  
Mr. Thorn  
Mr. Tillinghast  
Mr. Wheeler

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On motion of Mr. Livingston,

*Resolved*, That there be paid as part of the contingent expenses of this House, to Solomon Hays, an officer thereof, three dollars for each day's attendance on the House during its present session, and one day before the session, and one day after the present session, in cleaning the Assembly chamber; to Homer R. Phelps, George W. Stillman, Ann Johnson, Catharine Strong and Jonathan Goldweight, for services of their sons respectively, one dollar and fifty cents per day for every day they have respectively attended as messengers by the Assembly, to be certified by the Speaker.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

The House then resolved itself into a committee of the whole, on the bill entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Carr, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Carr, from the said committee, reported progress, and asked for leave to sit again.

*Ordered*, That the said report be laid upon the table.

The House then resolved itself into a committee of the whole, on the engrossed bill from the Senate, entitled "An act to amend the act relating to the militia and public defence;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Carr, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act

to incorporate the Lumberland and Bethel turnpike road company;" and the engrossed bill entitled "An act to amend an act entitled 'An act to incorporate the Saugerties and Woodstock turnpike company,' passed April 26th, 1828;" and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The House then resolved itself into a committee of the whole, on the bill entitled "An act in relation to the sales of lands by the surveyor-general and the attorney-general;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. J. Haskell, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

The House then resolved itself into a committee of the whole, on the bill entitled "An act relative to the rights and competency of witnesses;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. J. Haskell, from the said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Moore gave notice that he would hereafter ask leave to introduce a bill, entitled "An act concerning costs on writs of error, and to vest the power of surrogates in the first judges of the courts of common pleas."

And then the House adjourned till seven o'clock this afternoon.

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### SEVEN O'CLOCK P. M.

The House met pursuant to adjournment.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act relative to the rights and competency of witnesses;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. J. Haskell, from the said committee, reported, that the committee had disagreed to the first section and the enacting clause of the said bill; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read.

Mr. Speaker put the question whether the House would agree with the committee of the whole in their report, and it was determined in the affirmative.

{ AYES 51 }  
{ NAYS 18 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Beecher	Mr. Harvey	Mr. Richmond
Mr. Bennet	Mr. A. Hascall	Mr. D. Sibley
Mr. Brooks	Mr. Hendee	Mr. Simmons
Mr. A. Brown	Mr. Hillyer	Mr. Speaker
Mr. G. Brown	Mr. Horton	Mr. Springer
Mr. Burhans	Mr. Hutchinson	Mr. Stetson
Mr. Burke	Mr. Mallory	Mr. E. Strong
Mr. Barnum	Mr. M'Neil	Mr. Suffern
Mr. Cadwell	Mr. Moore	Mr. Tillinghast
Mr. Crain	Mr. Niles	Mr. Tomlinson
Mr. Denniston	Mr. Odell	Mr. Tyrrel
Mr. Eldred	Mr. W. S. Paddock	Mr. Van Bergen
Mr. Farwell	Mr. Patterson	Mr. Wager
Mr. Fisher	Mr. Pettit	Mr. Waldron
Mr. Gray	Mr. Phillips	Mr. Wheeler
Mr. Griswold	Mr. Philo	Mr. Wilcoxson
Mr. Hall	Mr. Quackenboss	Mr. Wylie

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Those who voted in the negative are

Mr. Carr	Mr. Finch	Mr. Lytle
Mr. J. Clark	Mr. J. Haskell	Mr. Ostrom
Mr. Coe	Mr. Healy	Mr. Palmer
Mr. Conklin	Mr. Herttell	Mr. Powers
Mr. Crary	Mr. Krum	Mr. Preston
Mr. Cuykendall	Mr. Livingston	Mr. Woodbury

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And then the House adjourned until nine o'clock to-morrow morning.

## THURSDAY, MAY 7, 1835.

The House met pursuant to adjournment.

The petition of John Preston, praying for authority to withdraw certain papers and documents relating to the teaching of common schools, was read, and referred to the committee on the judiciary.

Mr. Springer, from the committee on the incorporation of cities and villages, to which was referred the engrossed bill from the Senate, entitled "An act to vest certain powers in the trustees of the village of Lansingburgh," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree

with the committee in their said report, and it was determined in the affirmative.

Mr. Livingston, from the committee on the judiciary, to which was referred the bill entitled "An act respecting costs in certain proceedings and actions," reported, that the committee have examined the said bill, and recommend that the same be passed into a law.

Thereupon,

Mr. Livingston made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Livingston, and it was unanimously determined in the affirmative.

Mr. Springer, from the committee on trade and manufactures, to which was referred the petition of sundry inhabitants of the county of Putnam, praying for the incorporation of the Putnam Iron Company, reported a bill, entitled "An act to incorporate the Putnam iron company;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed.

Mr. D. Sibley, from the select committee to which was referred the petition of Doctor A. Plantou, a native of France, residing in the city of Philadelphia, reported, and recommended the subject of the petition to the consideration of the Canal Board.

[See Document No. 385.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Abiel Fuller, reported, and recommended that the prayer of the petitioner be denied.

[See Document No. 388.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

*Ordered*, That the committee on grievances be discharged from the further consideration of the petition of Thomas Livingston, for relief, and that the petitioner be permitted to withdraw his petition.

*Ordered*, That the committee on Indian affairs be discharged from the consideration of the memorial of Joseph Tarbell and others, belonging to the tribe of St. Regis Indians, praying for an amendment of a law relating to said tribe; and that the petitioners have leave to withdraw their petition.

Mr. Harvey, from the select committee to which was referred the bill entitled "An act to annex a part of the town of Davenport, and a part of the town of Franklin in the county of Delaware, to the town of Oneonta in the county of Otsego, and to annex a part

of the town of Davenport to the town of Meredith in Delaware county," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Van Bergen, from the select committee to which was referred the bill entitled "An act to incorporate the Hudson river seminary," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be engrossed.

Mr. Tomlinson, from the select committee to which was referred the engrossed bill entitled "An act to incorporate the Lake Champlain steam-boat navigation company," reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered,* That the bill be re-engrossed.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 96 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Philo
Mr. Anthony	Mr. J. Haskell	Mr. Plumb
Mr. Barnes	Mr. Healy	Mr. Powers
Mr. Beecher	Mr. Hendee	Mr. Preston
Mr. Benjamin	Mr. Herttell	Mr. Quackenboss
Mr. Bennet	Mr. Hicks	Mr. Rice
Mr. Blatchly	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Ringgold
Mr. A. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer

Mr. Barnum	Mr. Hough	Mr. D. Sibley
Mr. Burr	Mr. Judd	Mr. M. H. Sibley
Mr. Cadwell	Mr. Krum	Mr. Simmons
Mr. Carpenter	Mr. J. W. Lewis	Mr. Speaker
Mr. Conklin	Mr. Livingston	Mr. Springer
Mr. Crain	Mr. Lockwood	Mr. Stetson
Mr. Crary	Mr. Loomis	Mr. Stevens
Mr. Crosby	Mr. Mallory	Mr. E. Strong
Mr. Crowell	Mr. M'Cluer	Mr. Thorn
Mr. Cuykendall	Mr. Moore	Mr. Tillinghast
Mr. Davis	Mr. Moseley	Mr. Tomlinson
Mr. Dayan	Mr. Murphy	Mr. Tyrrel
Mr. Denniston	Mr. Niles	Mr. Van Bergen
Mr. Eldred	Mr. Odell	Mr. Wager
Mr. Farwell	Mr. Ostrom	Mr. Waldron
Mr. Finch	Mr. P. W. Paddock	Mr. Wetmore
Mr. Fisher	Mr. Palmer	Mr. Wheeler
Mr. Gray	Mr. Parker	Mr. Wilcoxson
Mr. Griswold	Mr. Patterson	Mr. Wilkinson
Mr. Groom	Mr. Peck	Mr. Williams
Mr. Hall	Mr. Pettit	Mr. Woodbury
Mr. Harvey	Mr. Phillips	Mr. Wylie

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Seven several messages from the Senate were read, informing that they have passed the bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company;" the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes;" the bill entitled "An act to authorise the supervisors of the county of Livingston to raise money to build bridges in said county;" the bill entitled "An act to change the name of the seminary of the Genesee and Oneida conferences, and for other purposes;" the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville in the towns of Peru and Chesterfield;" the bill entitled "An act extending further privileges to the firemen of the respective cities within this State," and the bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate sent for concurrence, a bill entitled "An act in relation to the State library."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

By the unanimous consent of the House, the said bill was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

**GENTLEMEN,**

I have this day approved and signed the bill entitled "An act to authorise the building of two bridges over the Caderskill in the town of Catskill in the county of Greene."

Also the bill entitled "An act to amend an act entitled 'An act to divide the town of Sempronius in the county of Cayuga,' so much as relates to the division of school monies."

Also the bill entitled "An act authorising James E. De Kay and Daniel Fleet to erect a dock or pier in the harbor of Oysterbay."

Also the bill entitled "An act to change the name of the First Baptist society in Palmyra in the county of Ontario, to the name of the First Baptist society in Macedon in the county of Wayne."

Also the bill entitled "An act to provide for the payment of costs in certain cases."

Also the bill entitled "An act to amend title third of the seventeenth chapter of the first part of the Revised Statutes."

Also the bill entitled "An act to alter and continue in force an act authorising Vincent Le Ray De Chaumont to build a toll-bridge over the Chaumont river in the county of Jefferson, passed March 12th, 1823."

Also the bill entitled "An act to amend the Revised Statutes, relative to grants of land under water."

Also the bill entitled "An act to authorise Richard Udall to build a dock in the town of North-Hempstead."

Also the bill entitled "An act to authorise a tax on the town of Oswegatchie in St. Lawrence county, to construct a bridge across Beaver creek."

Also the bill entitled "An act in relation to the improvement of the navigation of the Hudson river."

Also the bill entitled "An act to incorporate the Westchester and Putnam insurance company."

W. L. MARCY.

*Albany, May 6, 1835.*

The House then proceeded, by unanimous consent, to the reconsideration of the vote on the final passage of the bill entitled "An act to incorporate the Napanock company."

Mr. Speaker put the question whether the House would agree to reconsider the said vote, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	95	}
{	NAYS	01	}



## Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Powers
Mr. Anthony	Mr. Harvey	Mr. Preston
Mr. Barnes	Mr. A. Hascall	Mr. Quackenbush
Mr. Beecher	Mr. Hendee	Mr. Rice
Mr. Benjamin	Mr. Hildreth	Mr. Richmond
Mr. Bennet	Mr. Hiller	Mr. Ringgold
Mr. Blatchly	Mr. Hittier	Mr. Seger
Mr. Brooks	Mr. Horton	Mr. Shafer
Mr. A. Brown	Mr. Jones	Mr. D. Sibley
Mr. G. Brown	Mr. Judd	Mr. M. H. Sibley
Mr. Burhans	Mr. Krum	Mr. Simmons
Mr. Barnum	Mr. J. W. Lewis	Mr. Speaker
Mr. Burr	Mr. Livingston	Mr. Springer
Mr. Carpenter	Mr. Lockwood	Mr. Stetson
Mr. Carr	Mr. Loomis	Mr. Stevens
Mr. Cash	Mr. Lytle	Mr. E. Strong
Mr. A. Clark	Mr. Mallory	Mr. Saffern
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. Moore	Mr. Tillinghast
Mr. Conklin	Mr. Moseley	Mr. Tomlinson
Mr. Crain	Mr. Murphy	Mr. Tyrrel
Mr. Crary	Mr. Niles	Mr. Van Bergen
Mr. Crosby	Mr. Odell	Mr. Wager
Mr. Crowell	Mr. Ostrom	Mr. Waldron
Mr. Cuykendall	Mr. P. W. Paddock	Mr. Wheeler
Mr. Davis	Mr. Palmer	Mr. Wilcoxson
Mr. Dayan	Mr. Patterson	Mr. Wilkinson
Mr. Denniston	Mr. Peck	Mr. Williams
Mr. Farwell	Mr. Pettit	Mr. Woodbury
Mr. Finch	Mr. Phillips	Mr. W. Woodworth
Mr. Fisher	Mr. Philo	Mr. Wyle
Mr. Gray	Mr. Plumb	

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## Those who voted in the negative are

Mr. J. Haskell

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Thereupon,

By the unanimous consent of the House, the said bill was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 05 }



## Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Powers
Mr. Anthony	Mr. A. Hascall	Mr. Preston
Mr. Barnes	Mr. Healy	Mr. Quackenboss
Mr. Beecher	Mr. Hendee	Mr. Rice
Mr. Benjamin	Mr. Hicks	Mr. Richmond
Mr. Bennet	Mr. Hildreth	Mr. Seger
Mr. Blatchly	Mr. Hiller	Mr. Shafer
Mr. Brooks	Mr. Hillyer	Mr. Shepard
Mr. A. Brown	Mr. Horton	Mr. D. Sibley
Mr. G. Brown	Mr. Jones	Mr. M. H. Sibley
Mr. Burhans	Mr. Judd	Mr. Simmons
Mr. Barnum	Mr. Krum	Mr. Speaker
Mr. Burr	Mr. J. W. Lewis	Mr. Springer
Mr. Cadwell	Mr. Livingston	Mr. Stetson
Mr. Carpenter	Mr. Lockwood	Mr. Stevens
Mr. Cash	Mr. Loomis	Mr. E. Strong
Mr. A. Clark	Mr. Mallory	Mr. Suffern
Mr. J. Clark	Mr. M'Cluer	Mr. Thorn
Mr. Coe	Mr. Moore	Mr. Tillinghast
Mr. Conklin	Mr. Moseley	Mr. Tomlinson
Mr. Crain	Mr. Murphy	Mr. Tyrrel
Mr. Crary	Mr. Niles	Mr. Van Bergen
Mr. Crosby	Mr. Odell	Mr. Wager
Mr. Crowell	Mr. Ostrom	Mr. Waldron
Mr. Davis	Mr. P. W. Paddock	Mr. Wheeler
Mr. Denniston	Mr. Palmer	Mr. Wilcoxson
Mr. Farwell	Mr. Patterson	Mr. Wilkinson
Mr. Finch	Mr. Peck	Mr. Williams
Mr. Fisher	Mr. Pettit	Mr. Woodbury
Mr. Gray	Mr. Philo	Mr. Wylie
Mr. Griswold	Mr. Plumb	

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## Those who voted in the negative are

Mr. Carr	Mr. Herttell	Mr. Ringgold
Mr. J. Haskell	Mr. Phillips	

5

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Williams; the same was again read, in the words following, to wit:

*Resolved*, That the vote just taken on the bill to incorporate the Susquehannah steam navigation company, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 04 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Plumb
Mr. Anthony	Mr. Hendee	Mr. Powers
Mr. Barnes	Mr. Hicks	Mr. Preston
Mr. Beecher	Mr. Hildreth	Mr. Quackenboss
Mr. Benjamin	Mr. Hiller	Mr. Rice
Mr. Bennet	Mr. Hillyer	Mr. Richmond
Mr. Blatchly	Mr. Horton	Mr. Ringgold
Mr. A. Brown	Mr. Jones	Mr. Seger
Mr. G. Brown	Mr. Judd	Mr. Shafer
Mr. Burhans	Mr. Krum	Mr. Shepard
Mr. Barnum	Mr. J. W. Lewis	Mr. D. Sibley
Mr. Burr	Mr. Livingston	Mr. Simmons
Mr. Cadwell	Mr. Lockwood	Mr. Speaker
Mr. Carpenter	Mr. Loomis	Mr. Springer
Mr. Carr	Mr. Lytle	Mr. Stetson
Mr. A. Clark	Mr. Mallory	Mr. Stevens
Mr. Coe	Mr. M'Cluer	Mr. Suffern
Mr. Conklin	Mr. Moore	Mr. Tillinghast
Mr. Crain	Mr. Moseley	Mr. Tomlinson
Mr. Crary	Mr. Murphy	Mr. Tyrrel
Mr. Crosby	Mr. Niles	Mr. Van Bergen
Mr. Crowell	Mr. Odell	Mr. Wager
Mr. Davis	Mr. Ostrom	Mr. Waldron
Mr. Dayan	Mr. P. W. Paddock	Mr. Wetmore
Mr. Denniston	Mr. Palmer	Mr. Wheeler
Mr. Finch	Mr. Patterson	Mr. Wilcoxson
Mr. Fisher	Mr. Peck	Mr. Wilkinson
Mr. Gray	Mr. Pettit	Mr. Williams
Mr. Griswold	Mr. Phillips	Mr. Woodbury
Mr. Harvey	Mr. Philo	Mr. Wylie 90

Those who voted in the negative are

Mr. J. Haskell	Mr. M. H. Sibley	Mr. E. Strong
Mr. Herttell		

4

Thereupon,

The said bill was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 06 }

## Those who voted in the affirmative are

Mr. Adams	Mr. Groom	Mr. Pettit
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Barnes	Mr. Hendee	Mr. Plumb
Mr. Beecher	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Quackenboss
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. A. Brown	Mr. Jones	Mr. Shafer
Mr. Burhans	Mr. Judd	Mr. Shepard
Mr. Barnum	Mr. Krum	Mr. D. Sibley
Mr. Burr	Mr. J. W. Lewis	Mr. M. H. Sibley
Mr. Cadwell	Mr. Livingston	Mr. Simmons
Mr. Carpenter	Mr. Lockwood	Mr. Speaker
Mr. A. Clark	Mr. Loomis	Mr. Springer
Mr. J. Clark	Mr. Lytle	Mr. Stetson
Mr. Coe	Mr. Mallory	Mr. Stevens
Mr. Conklin	Mr. M'Cluer	Mr. Suffern
Mr. Crain	Mr. M'Neil	Mr. Tillinghast
Mr. Crary	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Moseley	Mr. Tyrrel
Mr. Crowell	Mr. Murphy	Mr. Van Bergen
Mr. Davis	Mr. Niles	Mr. Wager
Mr. Dayan	Mr. Odell	Mr. Waldron
Mr. Denniston	Mr. Ostrom	Mr. Wheeler
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Finch	Mr. Palmer	Mr. Wilkinson
Mr. Fisher	Mr. Parker	Mr. Williams
Mr. Gray	Mr. Patterson	Mr. Woodbury
Mr. Griswold	Mr. Peck	Mr. Wylie

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## Those who voted in the negative are

Mr. Carr	Mr. Herttell	Mr. Thorn
Mr. J. Haskell	Mr. Ringgold	Mr. Wetmore

6

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. Moore asked for and obtained leave to bring in a bill, entitled "An act concerning costs on writs of error, and to vest the power of surrogates in the first judges of the courts of common pleas;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

The engrossed bill entitled "An act to incorporate the Lake Champlain steam-boat navigation company," was again read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the

affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 89 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Harvey	Mr. Phillips
Mr. Anthony	Mr. A. Hascall	Mr. Philo
Mr. Barnes	Mr. Hendee	Mr. Plumb
Mr. Beecher	Mr. Hicks	Mr. Powers
Mr. Benjamin	Mr. Hildreth	Mr. Preston
Mr. Bennet	Mr. Hiller	Mr. Quackenboss
Mr. Blatchly	Mr. Hillyer	Mr. Richmond
Mr. Brooks	Mr. Horton	Mr. Seger
Mr. A. Brown	Mr. Jones	Mr. Shafer
Mr. Burhans	Mr. Judd	Mr. Shepard
Mr. Burke	Mr. Krum	Mr. Simmons
Mr. Barnum	Mr. J. W. Lewis	Mr. Speaker
Mr. Burr	Mr. Livingston	Mr. Springer
Mr. Carpenter	Mr. Lockwood	Mr. Stetson
Mr. A. Clark	Mr. Loomis	Mr. Stevens
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Suffern
Mr. Conklin	Mr. M'Cluer	Mr. Tillinghast
Mr. Crain	Mr. M'Neil	Mr. Tomlinson
Mr. Crary	Mr. Moore	Mr. Tyrrel
Mr. Crosby	Mr. Moseley	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Davis	Mr. Niles	Mr. Waldron
Mr. Dayan	Mr. Odell	Mr. Wheeler
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson
Mr. Farwell	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Finch	Mr. Palmer	Mr. Williams
Mr. Gray	Mr. Parker	Mr. Woodbury
Mr. Griswold	Mr. Patterson	Mr. Wylie
Mr. Groom	Mr. Pettit	

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Those who voted in the negative are,

Mr. Carr	Mr. Herttell	Mr. M. H. Sibley
Mr. J. Haskell	Mr. D. Sibley	Mr. Thorn

6

*Ordered,* That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

A communication from Michael Hoffman was received and read, in the words following, to wit:

*Albany, May 6, 1835.*

SIR,

Permit me, through you, to tender to the Honorable the Assembly my resignation of the office of Canal Commissioner; and to express the deep sense I entertain of the favor conferred by the appointment.

With perfect esteem and consideration,

I have the honor to be, sir,

Your humble servant,

MICHAEL HOFFMAN.

The Hon. CHARLES HUMPHREY,

*Speaker of the Assembly.*

TO THE LEGISLATURE OF THE STATE OF NEW-YORK,

The undersigned respectfully tenders his resignation of the office of Canal Commissioner, and acknowledges his great obligations to them for the confidence expressed and favor bestowed in the appointment.

MICHAEL HOFFMAN.

*Albany, May 6, 1835.*

The engrossed bill entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette," was read the third time.

*Resolved,* That the bill do pass.

*Ordered,* That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to the sales of lands by the surveyor-general and the attorney-general;" the engrossed bill entitled "An act to divide the town of Niagara in the county of Niagara;" the engrossed bill entitled "An act to incorporate the Kingsborough academy," and the engrossed bill entitled "An act to incorporate the Erie and Genesee rail-road company," and find the said bills severally correctly engrossed.

*Ordered,* That the said bills be laid upon the table.

The House then proceeded to the consideration of the resolution of the Senate of the 18th of April last; the same being amended, was again read, in the words following, to wit:

*Resolved,* (if the Assembly concur,) That the Legislature will, on Saturday, May 9th, 1835, at twelve o'clock at noon, proceed to the choice of a Regent of the University, in the place of the Hon. John Sudam, deceased; and a Canal Commissioner, in the place of Michael Hoffman, resigned.

Thereupon,

*Resolved,* That this House do concur with the Senate in their said resolution, as amended.

*Ordered,* That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

The engrossed bill entitled "An act to authorise the raising, by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act

to change the northern termination of the Chenango canal," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

The engrossed bill entitled "An act authorizing the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

In pursuance of previous notice, Mr. Dayan asked for and obtained leave to bring in a bill, entitled "An act to provide for the payment of certain officers of the government, and for other purposes;" which was read the first time, and by unanimous consent was also read a second time, and committed to a committee of the whole house.

Thereupon,

The House then resolved itself into a committee of the whole, on the said bill; and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Wheeler, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

*Ordered*, That the bill entitled "An act relating to the court of chancery," be referred to a select committee, consisting of Mr. A. Hascall, Mr. M. H. Sibley and Mr. Wager, to report the same complete.

*Ordered*, That Mr. Finch have leave of absence for the remainder of the session after Saturday next; and Mr. Palmer, Mr. Groom and Mr. Tomlinson, for the remainder of the session.

Mr. Patterson gave notice that he would hereafter ask leave to introduce a bill in relation to the Capitol.

On motion of Mr. Patterson,

*Resolved*, That the Clerk of the Assembly cause the Senate and Assembly Documents, and the Session Laws, with indexes thereto, to be bound in boards, with leather backs, and lettered, for the members and officers of this House; that the expenses thereof be paid out of the contingent fund of this House, and that the same be delivered to the Secretary of State with all convenient despatch, to be by him forwarded with the Journals of the Senate and Assembly, to the several county clerks, for the use of the members and officers of this House.

The engrossed bill entitled "An act in relation to laying out a public highway in the town of Geneseo," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to the sales of land by the surveyor-general and the attorney-general," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to consolidate and amend the several statutes concerning the election of justices of the peace," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to appoint commissioners to lay out a road from Poughkeepsie to Pine-Plains in the county of Dutchess," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The Senate returned the bill entitled "An act further to amend the act to incorporate the New-York and Erie-rail-road company, passed April 24th, 1832."

*Ordered*, That the Clerk deliver the said bill to the Governor.

Two several messages from the Senate were read, informing that they have passed the bill entitled "An act to incorporate the Manchester cotton manufacturing company;" and the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Geneseo,' passed April 21st, 1831," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Wilkinson gave notice that he would hereafter ask leave to introduce a bill, providing for the payment to William Jerome of the sum of thirty-three dollars and eighty-nine cents, for costs incurred by him in defending a suit commenced against him for acts done by him as an engineer upon the Oswego canal.

In pursuance of previous notice, Mr. Patterson asked for and obtained leave to bring in a bill, entitled "An act in relation to the Capitol;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed.

The engrossed bill entitled "An act to divide the town of Hinsdale in the county of Cattaraugus," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act in relation to the measurement and inspection of lumber," was read the third time.

*Resolved*, That the bill do pass.



**Ordered,** That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

**Ordered,** That the engrossed bill from the Senate, entitled "An act to amend the act relating to the militia and public defence," be referred to a select committee, consisting of Mr. Gray, Mr. Patterson and Mr. Dayan, to report the same complete.

Mr. Wilkinson asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act for the relief of William Jerome;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed.

Mr. Beecher asked for and obtained the unanimous consent of the House, to bring in a bill entitled "An act to amend an act entitled 'An act in relation to the superintendents of the poor of the several counties of this State,' passed April 25th, 1832;" which was read the first time, and by unanimous consent was also read a second time, and ordered to be engrossed.

The engrossed bill entitled "An act to divide the town of Niagara in the county of Niagara," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to satisfy the claims of the heirs of Henry Satterly, a soldier of the revolution, to bounty lands;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Beecher, from the said committee, reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be engrossed.

The House then again resolved itself into a committee of the whole, on the bill entitled "An act to provide for the construction of a rail-road from Batavia to Lockport;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Beecher, from the said committee, reported, that the committee had gone through the said bill, made amendments thereto, and agreed to the same; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

**Ordered,** That the bill be re-engrossed.

**Ordered,** That the engrossed bill from the Senate, entitled "An act for the relief of Alexander Thuey," be ordered to a third reading.

**Ordered,** That the bill reported by the committee on colleges, academies and common schools, in relation to a department of public instruction, be engrossed.

The engrossed bill entitled "An act authorising the sale of certain lands in the village of Lewiston," was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.



Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the payment of certain officers of the government, and for other purposes;" and find the same correctly engrossed.

Thereupon,

The said engrossed bill was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

*Ordered*, That the bill upon the general orders, entitled "An act to amend the act entitled 'An act to continue in force the act passed February 24th, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,' passed April 27th, 1827," be engrossed.

Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to incorporate the Putnam county iron company," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

The House then resolved itself into a committee of the whole, on the bill entitled "An act to divide the town of Grove in the county of Allegany;" and after some time spent thereon, Mr. Speaker resumed the chair, and Mr. Dayan, from the said committee, reported progress, and asked for leave to sit again.

Thereupon,

The House adjourned until nine o'clock to-morrow morning.

## FRIDAY, MAY 8, 1835.

The House met pursuant to adjournment.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petition of sundry inhabitants of the county of Kings, praying for the incorporation of a company to construct a turnpike road from Brooklyn to Coney Island, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which was referred the petitions of sundry inhabitants of the counties of Otsego and Schoharie, in relation to a macadamized road from Albany to Owego, reported, and recommended that the petitioners have leave to withdraw their petitions.

[See Document No. 387.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Adams, from the committee on grievances, to which was referred the petition of Owen Wilds, for relief, reported, and recommended that the prayer of the petitioner be denied.

[See Document No. 395.]

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Judd, from the committee appointed in pursuance of a resolution of this House, to report all such business as in their opinion should be entitled to receive the action of the House during the present session, reported the bill entitled "An act in relation to the State arsenal."

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the negative.

Mr. Griswold, from the committee on the erection and division of towns and counties, to which was referred the engrossed bill from the Senate, entitled "An act to divide the town of Cuba in the county of Allegany," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Anthony, from the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, to which were referred the petition and remonstrance in relation to the bridge across the Mohawk river at Schenectady, reported; concluding, that in the opinion of the committee, the prayer of the petition ought not to be granted.

[See Document No. 396.]

*Ordered*, That the said report be laid upon the table.

Mr. Suffern, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act in relation to the Capitol;" the engrossed bill entitled "An act to amend an act entitled 'An act in relation to the superintendents of the poor of the several counties of this State,' passed April 25, 1832;" the engrossed bill entitled "An act to amend the act entitled 'An act to continue in force the act passed February 24th, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,' passed April 7th, 1827;" the engrossed bill entitled "An act to satisfy the claim of the heirs of Henry Satterly, a soldier of the revolution, to bounty lands;" the engrossed bill entitled "An act for the relief of William Jerome;" the engrossed bill en-

titled "An act respecting costs in certain proceedings and actions;" and the engrossed bill entitled "An act to amend chapter fifteenth of part first of the Revised Statutes, entitled 'Of public instruction;'" and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The House then proceeded to the consideration of the report of the committee on grievances, on the petition of Samuel R. Matthews, praying to be indemnified for the seizure of certain property; the said report being, that the committee were of the opinion that the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

The House then proceeded to the consideration of the report of the committee of the whole, on the bill entitled "An act to provide for the payment of Jacob Trumpbour for surveying the canals of this State;" the said report being, that the committee had gone through the said bill, and agreed to the same with an amendment.

Thereupon,

Mr. M. H. Sibley made a motion that the House should agree to amend the report of the committee of the whole, as follows:

Strike out all of the first section of the bill, after the words "such sum," in the third line of the first section, and insert,

"As shall be awarded to the said Jacob Trumpbour by the decision of the supreme court of this State, upon a case to be made.

"§ 2. The report of the select committee to which was referred the memorial of Jacob Trumpbour and Holmes Hutchinson, together with the documents accompanying the same, (see Assembly Documents, Nos. 334 and 335, of 1832,) are hereby made a case for the decision of the supreme court.

"§ 3. This law shall not be binding upon the State, unless the said Jacob Trumpbour shall, within sixty days after this law takes effect, file with the clerk of the said supreme court in the city of Albany, a stipulation on his part to abide by and perform the decision of the said court.

"§ 4. The attorney-general shall be authorised to appear on the argument of the said case, in behalf of this State; and the said court is hereby authorised, in case their decision shall be in favor of the said Jacob Trumpbour, to award to him his fair and equitable costs, charges, damages and expenses, as well upon his application to the legislature for relief, as upon the prosecution of the said case; provided that if the supreme court shall be of opinion that the said Jacob Trumpbour is not entitled to any compensation for his services rendered after the time he was directed by the canal commissioners to discontinue his survey of the canals, then the said Jacob shall pay all the costs and expenses which shall accrue to the State by reason of the passage of this act."

Mr. Speaker put the question whether the House would agree to the said motion of Mr. M. H. Sibley, and it was determined in the affirmative.

Mr. Benjamin	Mr. Hendee	Mr. Plumb
Mr. Bennet	Mr. Herttell	Mr. Powers
Mr. Blatchly	Mr. Hicks	Mr. Preston
Mr. Brooks	Mr. Hildreth	Mr. Quackenboss
Mr. A. Brown	Mr. Hillyer	Mr. Richmond
Mr. G. Brown	Mr. Horton	Mr. Ringgold
Mr. Burhans	Mr. Jackson	Mr. Seger
Mr. Burke	Mr. Jones	Mr. Shafer
Mr. Barnum	Mr. Judd	Mr. Shepard
Mr. Burr	Mr. Kent	Mr. D. Sibley
Mr. Cadwell	Mr. King	Mr. M. H. Sibley
Mr. Carpenter	Mr. Krum	Mr. Simmons
Mr. Cash	Mr. T. Lewis	Mr. Speaker
Mr. A. Clark	Mr. Livingston	Mr. Springer
Mr. C. Clark	Mr. Lockwood	Mr. Stetson
Mr. J. Clark	Mr. Lytle	Mr. Stevens
Mr. Coe	Mr. Mallory	Mr. E. Strong
Mr. Conklin	Mr. M'Cluer	Mr. Thorn
Mr. Crain	Mr. Moore	Mr. Tillinghast
Mr. Crary	Mr. Moseley	Mr. Tyrrel
Mr. Crosby	Mr. Murphy	Mr. Wager
Mr. Crowell	Mr. Niles	Mr. Waldron
Mr. Cuykendall	Mr. Odell	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodbury
Mr. Farwell	Mr. Parker	Mr. W. Woodworth
Mr. Finch	Mr. Patterson	Mr. Wylie
Mr. Fisher		

100

Those who voted in the negative are,

Mr. J. Haskell

1

*Ordered,* That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to amend the charter of the Mechanics' and Farmers' Bank," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	82	}
{	NAYS	15	}

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Patterson
Mr. Anthony	Mr. Gray	Mr. Peck
Mr. Barnes	Mr. Griswold	Mr. Pettit
Mr. Beecher	Mr. Harvey	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Plumb
Mr. Bennet	Mr. Hicks	Mr. Powers
Mr. Blatchly	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Jackson	Mr. Quackenboss
Mr. Burhans	Mr. Jones	Mr. Seger
Mr. Barnum	Mr. Judd	Mr. Shafer
Mr. Burr	Mr. Kent	Mr. Shepard
Mr. Cadwell	Mr. King	Mr. D. Sibley
Mr. Carpenter	Mr. Krum	Mr. M. H. Sibley
Mr. Cash	Mr. J. W. Lewis	Mr. Simmons
Mr. A. Clark	Mr. Livingston	Mr. Speaker
Mr. J. Clark	Mr. Lockwood	Mr. Springer
Mr. Coe	Mr. Loomis	Mr. Stetson
Mr. Conklin	Mr. Lytle	Mr. Stevens
Mr. Crain	Mr. Mallory	Mr. E. Strong
Mr. Crary	Mr. M'Cluer	Mr. Thorn
Mr. Crosby	Mr. Murphy	Mr. Wager
Mr. Crowell	Mr. Niles	Mr. Wilcoxson
Mr. Cuykendall	Mr. Odell	Mr. Wilkinson
Mr. Davis	Mr. Ogden	Mr. Williams
Mr. Denniston	Mr. P. W. Paddock	Mr. Woodbury
Mr. Eldred	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Farwell	Mr. Parker	Mr. Wylie
Mr. Finch		

82

Those who voted in the negative are

Mr. G. Brown	Mr. Hillyer	Mr. Richmond
Mr. C. Clark	Mr. Horton	Mr. Ringgold
Mr. Clinch	Mr. Moore	Mr. Tyrrel
Mr. J. Haskell	Mr. Ostrom	Mr. Waldron
Mr. Herttell	Mr. Rice	Mr. Wheeler

15

The engrossed bill entitled "An act to incorporate the Putnam county iron company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 03 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Philo
Mr. Anthony	Mr. Harvey	Mr. Plumb

Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Healy	Mr. Preston
Mr. Bennet	Mr. Hendee	Mr. Quackenboss
Mr. Blatchly	Mr. Hicks	Mr. Rice
Mr. Brooks	Mr. Hildreth	Mr. Richmond
Mr. A. Brown	Mr. Hillyer	Mr. Ringgold
Mr. G. Brown	Mr. Jackson	Mr. Seger
Mr. Burbans	Mr. Judd	Mr. Shafer
Mr. Burke	Mr. Kent	Mr. Shepard
Mr. Barnum	Mr. King	Mr. D. Sibley
Mr. Burr	Mr. Krum	Mr. M. H. Sibley
Mr. Cadwell	Mr. J. W. Lewis	Mr. Simmons
Mr. Carpenter	Mr. T. Lewis	Mr. Speaker
Mr. Cash	Mr. Livingston	Mr. Springer
Mr. A. Clark	Mr. Lockwood	Mr. Stetson
Mr. C. Clark	Mr. Loomis	Mr. Stevens
Mr. J. Clark	Mr. Lytle	Mr. E. Strong
Mr. Coe	Mr. Mallory	Mr. Suffern
Mr. Conklin	Mr. M'Cluer	Mr. Thorn
Mr. Crain	Mr. Moore	Mr. Tomlinson
Mr. Crosby	Mr. Murphy	Mr. Tyrrel
Mr. Crowell	Mr. Niles	Mr. Wager
Mr. Cuykendall	Mr. Odell	Mr. Waldron
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. W. S. Paddock	Mr. Williams
Mr. Farwell	Mr. Parker	Mr. Woodbury
Mr. Finch	Mr. Patterson	Mr. W. Woodworth
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Gray	Mr. Phillips	

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Those who voted in the negative are,

Mr. Carr	Mr. Clinch	Mr. J. Haskell	3
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*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to amend the act entitled 'An act to incorporate the Seamen's bank for savings in the city of New-York,' passed January 31st, 1829," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{	AYES	81	}
{	NAYS	12	}

Those who voted in the affirmative are

Mr. Adams	Mr. Finch	Mr. Patterson
Mr. Anthony	Mr. Gray	Mr. Peck
Mr. Beecher	Mr. Harvey	Mr. Pettit
Mr. Benjamin	Mr. A. Hascall	Mr. Phillips
Mr. Bennet	Mr. Hendee	Mr. Plumb
Mr. Blatchly	Mr. Hicks	Mr. Powers
Mr. Brooks	Mr. Hildreth	Mr. Preston
Mr. A. Brown	Mr. Hillyer	Mr. Quackenboss
Mr. G. Brown	Mr. Jackson	Mr. Richmond
Mr. Burhans	Mr. Jones	Mr. Seger
Mr. Burke	Mr. Judd	Mr. Shafer
Mr. Barnum	Mr. Krum	Mr. Shepard
Mr. Burr	Mr. T. Lewis	Mr. D. Sibley
Mr. Cadwell	Mr. Livingston	Mr. M. H. Sibley
Mr. Carpenter	Mr. Lockwood	Mr. Simmons
Mr. A. Clark	Mr. Loomis	Mr. Speaker
Mr. C. Clark	Mr. Lytle	Mr. Springer
Mr. J. Clark	Mr. Moore	Mr. Stetson
Mr. Coe	Mr. Moseley	Mr. Stevens
Mr. Conklin	Mr. Murphy	Mr. E. Strong
Mr. Crain	Mr. Niles	Mr. Suffern
Mr. Crary	Mr. Odell	Mr. Thorn
Mr. Crowell	Mr. Ogden	Mr. Tyrrel
Mr. Davis	Mr. Ostrom	Mr. Wager
Mr. Dayan	Mr. P. W. Paddock	Mr. Wheeler
Mr. Denniston	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Eldred	Mr. Parker	Mr. Wylie

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Those who voted in the negative are

Mr. Carr	Mr. Cuykendall	Mr. Rice
Mr. Cash	Mr. J. Haskell	Mr. Ringgold
Mr. Clinch	Mr. Herttell	Mr. Waldron
Mr. Crosby	Mr. Horton	Mr. Woodbury

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The Senate sent for concurrence, a bill entitled "An act to alter the time for appointing superintendents of poor, and commissioners of deeds in the county of Ulster;" and a bill entitled "An act regulating costs in the courts of general sessions of the peace."

The said bills were severally read the first time, and by unanimous consent were also read a second time, and ordered to a third reading.

The Senate sent for concurrence, a bill entitled "An act regulating the specific funds of this State."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on ways and means, to report the same complete.

A message from the Senate was read, informing that they have passed the bill entitled "An act concerning Noah Burnham," without amendment.

*Ordered,* That the Clerk deliver the said bill to the Governor.



The Senate returned the bill entitled "An act authorizing Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village."

*Ordered*, That the Clerk deliver the said bill to the Governor.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate;" the bill entitled "An act to prevent the sale of strong or spirituous liquors to paupers," and the bill entitled "An act in relation to the Erie canal," severally with the amendments therewith delivered.

The said bills and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have concurred with them in their amendments to the said bills, and amended the same severally accordingly.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act in relation to the Ithaca and Port Renwick rail-road company."

Also the bill entitled "An act to authorise the supervisors of the county of Livingston to raise money to build bridges in said county."

Also the bill entitled "An act authorising the supervisors of the county of St. Lawrence to levy a tax for the benefit of a classical school in the town of Canton."

Also the bill entitled "An act authorising the appointment of a supreme court commissioner, to reside in the village of Keeseville in the towns of Peru and Chesterfield."

Also the bill entitled "An act to incorporate the Manchester cotton manufacturing company."

Also the bill entitled "An act further to amend the act to incorporate the New-York and Erie rail-road company, passed April 24th, 1833."

Also the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Geneseo,' passed April 21st, 1832."

Also the bill entitled "An act to change the name of the seminary of the Genesee and Oneida conferences, and for other purposes."

Also the bill entitled "An act extending further privileges to the firemen of the respective cities within this State."

Also the bill entitled "An act authorizing the appointment of a supreme court commissioner, to reside in the northern part of the county of Madison, and for other purposes."

W. L. MARCY.

*Albany, May 8, 1835.*



A message from the Senate was read, informing that they have passed the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,' " with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and amended by the House,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their said amendments as amended, and it was determined in the affirmative.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, with the amendment thereto therewith delivered.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the Cohoes bridge company," without amendment

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to settle the claims of Nathan Bumpus and others," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and amended by the House,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their said amendments as amended, and it was determined in the affirmative.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, with the amendment thereto therewith delivered.

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes;" the bill entitled "An act for the relief of the First Christian party of Oneida Indians," and the bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned," severally with the amendments therewith delivered.

The said bills and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have concurred with them in their amendments to the said bills, and amended the same severally accordingly.

The Senate sent for concurrence, a bill entitled "An act in relation to sales of real estate by execution."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary, to consider and report thereon.

The engrossed bill entitled "An act in relation to the Capitol," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of William Jerome," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to incorporate the Lumberland and Bethel turnpike road company," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 06 }

Those who voted in the affirmative are

Mr. Adams	Mr. Finch	Mr. P. W. Paddock
Mr. Barnes	Mr. Fisher	Mr. Parker
Mr. Beecher	Mr. Gray	Mr. Patterson
Mr. Benjamin	Mr. A. Hascall	Mr. Peck
Mr. Bennet	Mr. Healy	Mr. Pettit
Mr. Blatchly	Mr. Hendee	Mr. Phillips
Mr. Brooks	Mr. Hicks	Mr. Philo
Mr. A. Brown	Mr. Hildreth	Mr. Plumb
Mr. G. Brown	Mr. Hillyer	Mr. Powers
Mr. Burhans	Mr. Horton	Mr. Preston
Mr. Burke	Mr. Jackson	Mr. Richmond
Mr. Barnum	Mr. Jones	Mr. Ringgold
Mr. Burr	Mr. Judd	Mr. Seger
Mr. Cadwell	Mr. Kent	Mr. Shepard
Mr. Carpenter	Mr. Krum	Mr. D. Sibley
Mr. Cash	Mr. J. W. Lewis	Mr. Simmons
Mr. A. Clark	Mr. T. Lewis	Mr. Speaker
Mr. C. Clark	Mr. Livingston	Mr. Springer
Mr. J. Clark	Mr. Loomis	Mr. Stevens
Mr. Coe	Mr. Lytle	Mr. E. Strong
Mr. Conklin	Mr. Mallory	Mr. Suffern
Mr. Crain	Mr. M'Cluer	Mr. Thorn
Mr. Crary	Mr. M'Neil	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Wager
Mr. Crowell	Mr. Moseley	Mr. Waldron
Mr. Cuykendall	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. Ogden	Mr. W. Woodworth
Mr. Eldred	Mr. Ostrom	Mr. Wylie
Mr. Farwell		

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. W. S. Paddock
Mr. Clinch	Mr. Herttell	Mr. Wetmore

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*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

*Ordered*, That the bill entitled "An act to amend the act entitled 'An act to continue in force the act passed February 24th, 1809, authorising Jonas C. Baldwin to erect a dam across the Seneca river,' passed April 7th, 1827," be recommitted to a committee of the whole house.

Mr. Burke offered for the consideration of the House, a resolution, in the words following, to wit:

*Resolved*, That the question on the final passage of the bill to amend the charter of the Mechanics' and Farmers' Bank, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 79 }  
 { NAYS 13 }

Those who voted in the affirmative are

Mr. Adams	Mr. Farwell	Mr. Ostrom
Mr. Barnes	Mr. Finch	Mr. P. W. Paddock
Mr. Beecher	Mr. Fisher	Mr. W. S. Paddock
Mr. Benjamin	Mr. A. Hascall	Mr. Parker
Mr. Bennet	Mr. Healy	Mr. Patterson
Mr. Blatchly	Mr. Hendee	Mr. Peck
Mr. Brooks	Mr. Hicks	Mr. Pettit
Mr. A. Brown	Mr. Hildreth	Mr. Phillips
Mr. Burhans	Mr. Jackson	Mr. Plumb
Mr. Burke	Mr. Jones	Mr. Powers
Mr. Barnum	Mr. Judd	Mr. Preston
Mr. Burr	Mr. Kent	Mr. Seger
Mr. Cadwell	Mr. Krum	Mr. Shafer
Mr. Carpenter	Mr. J. W. Lewis	Mr. Shepard
Mr. Cash	Mr. T. Lewis	Mr. D. Sibley
Mr. A. Clark	Mr. Livingston	Mr. Simmons
Mr. J. Clark	Mr. Loomis	Mr. Speaker
Mr. Coe	Mr. Lytle	Mr. Springer
Mr. Conklin	Mr. Mallory	Mr. Stevens
Mr. Crain	Mr. M'Cluer	Mr. E. Strong
Mr. Crary	Mr. M'Neil	Mr. Suffern
Mr. Crosby	Mr. Moseley	Mr. Thorn
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. W. Woodworth
Mr. Denniston	Mr. Ogden	Mr. Wylie
Mr. Eldred		

Those who voted in the negative are

Mr. G. Brown	Mr. J. Haskell	Mr. Richmond
Mr. Carr	Mr. Hillyer	Mr. Waldron
Mr. C. Clark	Mr. Horton	Mr. Wetmore
Mr. Clinch	Mr. Moore	Mr. Wheeler
Mr. Gray		

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Mr. Peck, from the committee on engrossed bills, reported, that the committee had examined the engrossed bill entitled "An act to reorganize the chancery circuits, and to provide for the appointment of additional vice-chancellors," and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

*Ordered*, That the select committee be discharged from the further consideration of the petition of Abraham Waggoner and others, praying remuneration for damages sustained in consequence of the construction of the Crooked lake canal.

*Ordered*, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to divide the town of Buffalo in the county of Erie," and that the same be referred to a select committee, consisting of Mr. Plumb, Mr. Moseley and Mr. M'Neil, to report complete.

*Ordered*, That the engrossed bill from the Senate, entitled "An act to incorporate the Dover academy," be ordered to a third reading.

*Ordered*, That Obadiah Jackson be permitted to withdraw from the files of the Clerk of this House, his petition and documents, upon which he founded an application for the passage of a law authorising the building of wharves in the East river.

On motion of Mr. Judd,

*Resolved*, That when this House meets this afternoon, they will continue the third reading of bills.

And then the House adjourned till four o'clock this afternoon.

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#### FOUR O'CLOCK P. M.

The House met pursuant to adjournment.

Mr. Plumb, from the select committee to which was referred the bill entitled "An act to divide the town of Buffalo in the county of Erie," reported, that the committee had gone through the said bill, and agreed to the same without amendment; which he was directed to report to the House, and he read the report in his place, and delivered the same in at the table, where it was again read, and agreed to by the House.

*Ordered*, That the bill be engrossed.

*Ordered*, That the bill entitled "An act for the relief of James L'Amoureux," be engrossed.

The engrossed bill entitled "An act to amend an act entitled 'An act in relation to the superintendents of the poor of the several counties of this State,' passed April 25th, 1832," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act respecting costs in certain proceedings and actions," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

A copy of a resolution of the Senate was received and read, informing that they had concurred with this House in its amendments to the resolution of the Senate of the eighteenth of April last, fixing upon Saturday next for the choice of a Regent of the University and a Canal Commissioner.

Mr. Plumb, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act for the relief of James L'Amoureux," and the engrossed bill entitled "An act to divide the town of Buffalo in the county of Erie," and find the said bills severally correctly engrossed.

*Ordered*, That the said bills be laid upon the table.

The engrossed bill entitled "An act to satisfy the claim of the heirs of Henry Satterly, a soldier of the revolution, to bounty lands," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to provide for the payment of Jacob Trumpbour for surveying the canals of this State," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative.

{ AYES 46 }  
{ NAYS 33 }

The ayes and nays being required by ten members.

Those who voted in the affirmative are

Mr. Barnes	Mr. Farwell	Mr. Niles
Mr. A. Brown	Mr. Finch	Mr. Ogden
Mr. G. Brown	Mr. A. Hascall	Mr. Ostrom
Mr. Burhans	Mr. J. Haskell	Mr. Patterson
Mr. Burke	Mr. Healy	Mr. Plumb
Mr. Burr	Mr. Hendee	Mr. Preston
Mr. Cash	Mr. Herttell	Mr. Richmond
Mr. C. Clark	Mr. Hildreth	Mr. Simmons
Mr. J. Clark	Mr. Horton	Mr. E. Strong
Mr. Coe	Mr. Judd	Mr. Suffern
Mr. Crary	Mr. Kent	Mr. Thorn
Mr. Cuykendall	Mr. J. W. Lewis	Mr. Tyrrel

Mr. Davis  
Mr. Dayan  
Mr. Denniston  
Mr. Eldred

Mr. T. Lewis  
Mr. Moore  
Mr. Moseley

Mr. Wetmore  
Mr. Williams  
Mr. W. Woodworth

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Those who voted in the negative are

Mr. Adams  
Mr. Beecher  
Mr. Blatchly  
Mr. Barnum  
Mr. Carpenter  
Mr. Carr  
Mr. Crosby  
Mr. Crowell  
Mr. Gray  
Mr. Griswold  
Mr. Harvey

Mr. Jackson  
Mr. Jones  
Mr. King  
Mr. Loomis  
Mr. Lytle  
Mr. Murphy  
Mr. Odell  
Mr. Parker  
Mr. Pettit  
Mr. Phillips  
Mr. Powers

Mr. Seger  
Mr. Shepard  
Mr. D. Sibley  
Mr. Springer  
Mr. Tillinghast  
Mr. Wager  
Mr. Wheeler  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Woodbury  
Mr. Wylie

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The engrossed bill entitled "An act to provide for the assessment of the damages sustained by John McIatyre and others, on the Champlain canal," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act to abolish public executions," was read the third time.

Debates were had thereon; and the question being put whether the House would agree to the final passage of the said bill, it was determined in the affirmative.

{ AYES 66 }  
{ NAYS 20 }

The ayes and nays being required by ten members,

Those who voted in the affirmative are

Mr. Beecher  
Mr. Benjamin  
Mr. Bennet  
Mr. Blatchly  
Mr. G. Brown  
Mr. Durhans  
Mr. Burke  
Mr. Burr  
Mr. Carpenter  
Mr. Carr  
Mr. A. Clark  
Mr. C. Clark  
Mr. Coe

Mr. Gray  
Mr. Griswold  
Mr. A. Hascall  
Mr. Hendee  
Mr. Hicks  
Mr. Hillyer  
Mr. Horton  
Mr. Jackson  
Mr. Jones  
Mr. Kent  
Mr. King  
Mr. T. Lewis  
Mr. Livingston

Mr. P. W. Paddock  
Mr. Patterson  
Mr. Peck  
Mr. Pettit  
Mr. Phillips  
Mr. Plumb  
Mr. D. Sibley  
Mr. Simmons  
Mr. Springer  
Mr. Stevens  
Mr. E. Strong  
Mr. Suffern  
Mr. Tyrrel

Mr. Conklin	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Lytle	Mr. Waldron
Mr. Crosby	Mr. M'Cluer	Mr. Wetmore
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Wilcoxson
Mr. Denniston	Mr. Murphy	Mr. Wilkinson
Mr. Eldred	Mr. Niles	Mr. Williams
Mr. Farwell	Mr. Ogden	Mr. Woodbury
Mr. Fisher	Mr. Ostrom	Mr. Wylie

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Those who voted in the negative are

Mr. Barnes	Mr. J. Haskell	Mr. Preston
Mr. Barnum	Mr. Healy	Mr. Quackenboss
Mr. Cash	Mr. Hildreth	Mr. Richmond
Mr. J. Clark	Mr. Judd	Mr. Shepard
Mr. Cuykendall	Mr. J. W. Lewis	Mr. Thorn
Mr. Finch	Mr. Parker	Mr. Tillinghast
Mr. Harvey	Mr. Powers	

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to regulate the taxation of the accounts of district attornies," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to create and regulate a standard for measuring bran and shorts," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Peck; from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to annex a part of the town of Davenport, and a part of the town of Franklin in the county of Delaware, to the town of Oneonta in the county of Otsego, and to annex a part of the town of Davenport to the town of Meredith in Delaware county;" and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

On motion of Mr. M. H. Sibley,

*Resolved*, That the Clerk of this House cause to be collected and transcribed in a fair hand into separate books, all reports, proceedings and doings of the committee on claims and grievances, (including reports of the canal board, canal commissioners, commissioners of the land-office, and attorney-general,) with reference to private claims, and of the committee on privileges and elections of the Legislature of this State, during the year 1835, together with a regular and correct reference to the Journal in every case, and an index to the same, with the name of every applicant or petitioner arranged in alphabetical order; and that he have the same prepared previous to the opening of the next session of the Legislature, for the use of the Senate and Assembly.



The engrossed bill entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act for the relief of James L'A-moureux," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to divide the town of Buffalo in the county of Erie," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

And then the House adjourned until nine o'clock to-morrow morning.

## SATURDAY, MAY 9, 1835.

The House met pursuant to adjournment.

Mr. Livingston, from the committee on the judiciary, to which was referred the engrossed bill from the Senate, entitled "An act in relation to sales of real estate by execution," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilkinson, by the unanimous consent of the House, brought in a bill entitled "An act to enlarge the powers of commissioners of highways;" which was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Wilkinson made a motion that the House should agree to order the said bill to be engrossed.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Wilkinson, and it was unanimously determined in the affirmative.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of the electors in the town of Peru in the county of Clinton, also the petition of the inhabitants of the town of Wales in the county of Erie, and also the petition of the inhabitants of Cincinnatus in the county of Cortland, praying for an alteration of the law relative to the election of town officers, reported, that in the opinion of the committee, it is not



advisable to make any alteration in the provisions of the law on the subject referred to.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. King, from the committee on public lands, to which was referred the engrossed bill from the Senate, entitled "An act regulating the specific funds of the State," reported, that the committee have examined the said bill, and see no reason why the same should not be passed into a law, and recommend that it be ordered to a third reading.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of John P. Sahler of the county of Ulster, praying for authority to take the oath of office as commissioner of deeds, reported, that in the opinion of the committee, the prayer of the petitioner ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

Mr. Wilcoxson, from the committee on privileges and elections, to which was referred the petition of the board of supervisors of the county of Albany, to elect their commissioners of deeds in the several towns in said county, at their annual town meeting, reported, that in the opinion of the committee, the prayer of the petitioners ought not to be granted.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

A message from the Senate was read, informing that they have concurred with this House in its amendment to the amendments of the Senate to the bill entitled "An act to settle the claims of Nathan Bumpus and others."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that the Senate insist on their amendments non-concurred in by this House, to the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools.'"

Thereupon,

Mr. Wager made a motion that the House should agree to recede from its resolution of non-concurrence to the amendment of the Senate to the said bill.

Debates were had thereon; and the question being put whether the House would agree to the said motion of Mr. Wager, it was determined in the negative.

{ NAYS 62 }  
{ AYES 31 }

The ayes and noes being required by ten members,

Those who voted in the negative are

Mr. Adams	Mr. Hildreth	Mr. Patterson
Mr. Blatchly	Mr. Hiller	Mr. Phillips
Mr. G. Brown	Mr. Hillyer	Mr. Plumb
Mr. Burke	Mr. Horton	Mr. Powers
Mr. Batnum	Mr. Jones	Mr. Preston
Mr. Burr	Mr. Judd	Mr. Quackenboss
Mr. Carr	Mr. Kent	Mr. Ringgold
Mr. A. Clark	Mr. J. W. Lewis	Mr. Seger
Mr. J. Clark	Mr. T. Lewis	Mr. Shepard
Mr. Coe	Mr. Lockwood	Mr. D. Sibley
Mr. Conklin	Mr. Loomis	Mr. Simmons
Mr. Crosby	Mr. Lytle	Mr. Speaker
Mr. Crowell	Mr. M'Cluer	Mr. Stevens
Mr. Cuykendall	Mr. Moore	Mr. E. Strong
Mr. Davis	Mr. Moseley	Mr. Tillinghast
Mr. Dayan	Mr. Murphy	Mr. Tyrrel
Mr. Eldred	Mr. Niles	Mr. Waldron
Mr. Fisher	Mr. Ogden	Mr. Wheeler
Mr. A. Hascall	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Healy	Mr. W. S. Paddock	Mr. W. Woodworth
Mr. Hendee	Mr. Parker	

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Those who voted in the affirmative are

Mr. Barnes	Mr. Griswold	Mr. Shafer
Mr. Beecher	Mr. J. Haskell	Mr. Springer
Mr. Benjamin	Mr. Hicks	Mr. C. Strong
Mr. Brooks	Mr. Ingersoll	Mr. Suffern
Mr. Burhans	Mr. Jackson	Mr. Wager
Mr. Carpenter	Mr. King	Mr. Wetmore
Mr. Cash	Mr. Krum	Mr. Wilkinson
Mr. C. Clark	Mr. Livingston	Mr. Williams
Mr. Crary	Mr. Odell	Mr. Woodbury
Mr. Denniston	Mr. Pettit	Mr. Wylie
Mr. Gray		

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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House refuse to recede from its resolution of non-concurrence to the amendments of the Senate thereto.

Mr. Crowell, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to enlarge the powers of commissioners of highways," and find the same correctly engrossed.

*Ordered,* That the said bill be laid upon the table.

The Senate sent for concurrence, a bill entitled "An act to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26th, 1831."

The said bill was read the first time, and by unanimous consent was also read a second time.

Thereupon,

Mr. Adams made a motion that the further consideration of the said bill be postponed until the first Monday of November next.

Mr. Speaker put the question whether the House would agree to the said motion of Mr. Adams, and it was determined in the affirmative.

The Senate sent for concurrence, a bill entitled "An act relative to unclaimed bank dividends and deposits."

The said bill was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the incorporation and alteration of the charters of banking and insurance companies, to consider and report thereon.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Fishkill education society," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 91 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Parker
Mr. Barnes	Mr. A. Hascall	Mr. Patterson
Mr. Beecher	Mr. J. Haskell	Mr. Pettit
Mr. Benjamin	Mr. Healy	Mr. Phillips
Mr. Blatchly	Mr. Hendee	Mr. Plumb
Mr. Brooks	Mr. Hicks	Mr. Powers
Mr. A. Brown	Mr. Hildreth	Mr. Preston
Mr. G. Brown	Mr. Hiller	Mr. Quackenboss
Mr. Burhans	Mr. Hillyer	Mr. Ringgold
Mr. Burke	Mr. Horton	Mr. Seger
Mr. Barnum	Mr. Jackson	Mr. Shafer
Mr. Carpenter	Mr. Jones	Mr. Shepard
Mr. Cash	Mr. Judd	Mr. D. Sibley
Mr. A. Clark	Mr. Kent	Mr. Simmons
Mr. C. Clark	Mr. King	Mr. Speaker
Mr. J. Clark	Mr. Krum	Mr. Springer
Mr. Coe	Mr. J. W. Lewis	Mr. Stetson
Mr. Conklin	Mr. T. Lewis	Mr. Stevens
Mr. Crary	Mr. Livingston	Mr. C. Strong
Mr. Crosby	Mr. Lockwood	Mr. E. Strong
Mr. Crowell	Mr. Loomis	Mr. Suffern
Mr. Cuykendall	Mr. Lytle	Mr. Tyrrel

Mr. Davis	Mr. McCluer	Mr. Wager
Mr. Dayan	Mr. Moore	Mr. Waldron
Mr. Denniston	Mr. Mosley	Mr. Wetmore
Mr. Eldred	Mr. Murphy	Mr. Wheeler
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. Ogden	Mr. Woodbury
Mr. Gray	Mr. P. W. Paddock	Mr. Wylie
Mr. Griswold		

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Susquehanna steam navigation company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 91 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Patterson
Mr. Barnes	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. J. Haskell	Mr. Phillips
Mr. Benjamin	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Quackenbush
Mr. G. Brown	Mr. Hille	Mr. Ringgold
Mr. Durban	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Burrows	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Carpenter	Mr. Jones	Mr. Simmons
Mr. Carr	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. Kent	Mr. Springer
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. C. Clark	Mr. Krum	Mr. Stevens
Mr. J. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. Coe	Mr. T. Lewis	Mr. E. Strong
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crary	Mr. Lockwood	Mr. Tillinghast
Mr. Crosby	Mr. Loomis	Mr. Tyrrel

Mr. Crowell	Mr. Lytle	Mr. Wager
Mr. Cuykendall	Mr. M'Cluer	Mr. Waldron
Mr. Davis	Mr. Moore	Mr. Wetmore
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilcoxson
Mr. Eldred	Mr. Niles	Mr. Wilkinson
Mr. Farwell	Mr. Odell	Mr. Williams
Mr. Finch	Mr. Ogden	Mr. Woodbury
Mr. Fisher	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Gray	Mr. W. S. Paddock	Mr. Wylie
Mr. Griswold	Mr. Parker	

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Those who voted in the negative are,

Mr. Herttell

1

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act for establishing a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkstown in the county of Rockland," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act relative to unclaimed bank dividends and deposits," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to enlarge the powers of commissioners of highways," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The annual report of the Albany Savings Bank was received and read.

[See Document No. 397.]

**Ordered,** That the said report be laid upon the table.

The annual report of Andrew Comstock, an inspector of green hides and skins for the city of Albany, was received and read.

[See Document No. 898.]

**Ordered,** That the said report be laid upon the table.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Fisher; the same was again read, in the words following. to wit:

**Resolved,** That the vote on the final passage of the bill to revive and continue the act entitled "An act to incorporate the New-York dry dock company," passed May 1st, 1834, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 76 }  
{ NAYS 18 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. P. W. Paddock
Mr. Barnes	Mr. Hendee	Mr. Parker
Mr. Beecher	Mr. Hicks	Mr. Patterson
Mr. Benjamin	Mr. Hildreth	Mr. Phillips
Mr. Blatchly	Mr. Hiller	Mr. Plumb
Mr. Brooks	Mr. Hillyer	Mr. Powers
Mr. Burhans	Mr. Horton	Mr. Quackenboss
Mr. Barnum	Mr. Ingersoll	Mr. Ringgold
Mr. Carpenter	Mr. Jackson	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. Judd	Mr. Simmons
Mr. J. Clark	Mr. Kent	Mr. Speaker
Mr. Conklin	Mr. King	Mr. Springer
Mr. Crary	Mr. Krum	Mr. Stetson
Mr. Crosby	Mr. J. W. Lewis	Mr. Stevens
Mr. Crowell	Mr. T. Lewis	Mr. C. Strong
Mr. Davis	Mr. Livingston	Mr. Tillinghast
Mr. Dayan	Mr. Lockwood	Mr. Van Bergen
Mr. Denniston	Mr. Loomis	Mr. Wager
Mr. Eldred	Mr. Lytle	Mr. Wetmore
Mr. Farwell	Mr. Moore	Mr. Wheeler
Mr. Finch	Mr. Moseley	Mr. Wilcoxson
Mr. Fisher	Mr. Niles	Mr. Wilkinson
Mr. Gray	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. Ogden	Mr. W. Woodworth
Mr. Hall		

Mr. Conklin	Mr. Loomis	Mr. Wager
Mr. Crary	Mr. Lytle	Mr. Waldron
Mr. Crosby	Mr. M'Cluer	Mr. Wetmore
Mr. Crowell	Mr. Moore	Mr. Wheeler
Mr. Davis	Mr. Moseley	Mr. Wilcoxson
Mr. Denniston	Mr. Murphy	Mr. Wilkinson
Mr. Eldred	Mr. Niles	Mr. Williams
Mr. Farwell	Mr. Ogden	Mr. Woodbury
Mr. Fisher	Mr. Ostrom	Mr. Wylie

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Those who voted in the negative are

Mr. Barnes	Mr. J. Haskell	Mr. Preston
Mr. Barnum	Mr. Healy	Mr. Quackenboss
Mr. Cash	Mr. Hildreth	Mr. Richmond
Mr. J. Clark	Mr. Judd	Mr. Shepard
Mr. Cuykendall	Mr. J. W. Lewis	Mr. Thorn
Mr. Finch	Mr. Parker	Mr. Tillinghast
Mr. Harvey	Mr. Powers	

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to regulate the taxation of the accounts of district attornies," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill entitled "An act to create and regulate a standard for measuring bran and shorts," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said several bills to the Senate, and request their concurrence in the same.

Mr. Peck, from the committee on engrossed bills, reported, that the committee have examined the engrossed bill entitled "An act to annex a part of the town of Davenport, and a part of the town of Franklin in the county of Delaware, to the town of Oneonta in the county of Otsego, and to annex a part of the town of Davenport to the town of Meredith in Delaware county;" and find the same correctly engrossed.

*Ordered*, That the said bill be laid upon the table.

On motion of Mr. M. H. Sibley,

*Resolved*, That the Clerk of this House cause to be collected and transcribed in a fair hand into separate books, all reports, proceedings and doings of the committee on claims and grievances, (including reports of the canal board, canal commissioners, commissioners of the land-office, and attorney-general,) with reference to private claims, and of the committee on privileges and elections of the Legislature of this State, during the year 1835, together with a regular and correct reference to the Journal in every case, and an index to the same, with the name of every applicant or petitioner arranged in alphabetical order; and that he have the same prepared previous to the opening of the next session of the Legislature, for the use of the Senate and Assembly.

Mr. Barnes	Mr. Griswold	Mr. Phillips
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Hertteli	Mr. Preston
Mr. Blatchly	Mr. Hicks	Mr. Quackenboss
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Ringgold
Mr. Burbank	Mr. Horton	Mr. Shafer
Mr. Burke	Mr. Ingersoll	Mr. Shepard
Mr. Burman	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Spenser
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. C. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. J. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. Clach	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Tillinghast
Mr. Conklin	Mr. Lytle	Mr. Tyrrel
Mr. Cray	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Murphy	Mr. Wilcoxson
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. Ogden	Mr. Woodbury
Mr. Eldred	Mr. Ostrom	Mr. W. Woodworth
Mr. Farwell	Mr. P. W. Paddock	Mr. Wyle 90

The engrossed bill from the Senate, entitled "An act to vest certain powers in the trustees of the village of Lansingburgh," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 60 }

Those who voted in the affirmative are

Mr. Adams	Mr. Farwell	Mr. Ostrom
Mr. Anthony	Mr. Fisher	Mr. P. W. Paddock
Mr. Barnes	Mr. Gray	Mr. Parker
Mr. Beecher	Mr. Griswold	Mr. Patterson
Mr. Benjamin	Mr. Hall	Mr. Pettit
Mr. Blatchly	Mr. A. Hascall	Mr. Phillips
Mr. Brooks	Mr. J. Haskell	Mr. Powers
Mr. A. Brown	Mr. Hendee	Mr. Preston
Mr. G. Brown	Mr. Hicks	Mr. Quackenboss
Mr. Burbank	Mr. Hillyer	Mr. Richmond



Mr. Burke	Mr. Horton	Mr. Ringgold
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. Carpenter	Mr. Judd	Mr. Simmons
Mr. Carr	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tyrrel
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wetmore
Mr. Crosby	Mr. M'Cluer	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Davis	Mr. Murphy	Mr. Woodbury
Mr. Dayan	Mr. Niles	Mr. W. Woodworth
Mr. Denniston	Mr. Odell	Mr. Wylie
Mr. Eldred	Mr. Ogden	

*Ordered,* That the clerk return the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

Pursuant to article first of title first of chapter fifteenth of the first part of the Revised Statutes, and agreeably to the concurrent resolution of the Senate and Assembly, the House proceeded to nominate a Regent of the University of this State, in the place of John Sudam, deceased; when each member present openly nominated as follows:

#### FOR WASHINGTON IRVING.

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Hall	Mr. Phillips
Mr. Barnes	Mr. Harvey	Mr. Plumb
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. J. Haskell	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Quackenboss
Mr. Brooks	Mr. Hendee	Mr. Rice
Mr. A. Brown	Mr. Herttell	Mr. Richmond
Mr. G. Brown	Mr. Hicks	Mr. Ringgold
Mr. Burhans	Mr. Hiller	Mr. Shafer
Mr. Burke	Mr. Hillyer	Mr. Shepard
Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Cadwell	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Carpenter	Mr. Jackson	Mr. Simmons
Mr. Carr	Mr. Jones	Mr. Speaker
Mr. Cash	Mr. Judd	Mr. Springer
Mr. A. Clark	Mr. Kent	Mr. Stetson

Mr. C. Clark	Mr. King	Mr. Stevens
Mr. J. Clark	Mr. Krum	Mr. C. Strong
Mr. Clinch	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Lockwood	Mr. Tillinghast
Mr. Crary	Mr. Loomis	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Davis	Mr. Odell	Mr. Wetmore
Mr. Dayan	Mr. Ogden	Mr. Wheeler
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Eldred	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. Parker	Mr. Williams
Mr. Finch	Mr. Patterson	Mr. Woodbury
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Gray		

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On motion of Mr. Wetmore,

*Resolved unanimously,* That Washington Irving be, and he is hereby nominated on the part of this House, for the office of Regent of the University of this State, in the place of John Sudam, deceased.

Pursuant to the concurrent resolution of Thursday the seventh day of May instant, the House proceeded to nominate a Canal Commissioner, to fill the vacancy occasioned by the resignation of Michael Hoffman; when each member openly nominated as follows:

**FOR HEMAN J. REDFIELD.**

Mr. Adams	Mr. Gray	Mr. Peck
Mr. Anthony	Mr. Griswold	Mr. Pettit
Mr. Barnes	Mr. Hall	Mr. Phillips
Mr. Beecher	Mr. Harvey	Mr. Plumb
Mr. Benjamin	Mr. J. Haskell	Mr. Powers
Mr. Brooks	Mr. Healy	Mr. Preston
Mr. Burhans	Mr. Herttell	Mr. Quackenboss
Mr. Barnum	Mr. Hicks	Mr. Rice
Mr. Cadwell	Mr. Hiller	Mr. Ringgold
Mr. Carpenter	Mr. Ingersoll	Mr. Shafer
Mr. Cash	Mr. Jackson	Mr. Shepard
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. J. Clark	Mr. Judd	Mr. Springer
Mr. Clinch	Mr. Kent	Mr. Stevens
Mr. Coe	Mr. King	Mr. Suffern
Mr. Conklin	Mr. Livingston	Mr. Tillinghast
Mr. Crary	Mr. Lockwood	Mr. Van Bergen
Mr. Crosby	Mr. Loomis	Mr. Wager
Mr. Crowell	Mr. Lytle	Mr. Wetmore
Mr. Cuykendall	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilcoxson

Mr. Dayan	Mr. Ogden	Mr. Wilkinson	
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams	
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodbury	
Mr. Finch	Mr. Parker	Mr. Wylie	
Mr. Fisher			76

## FOR JOHN M'INTYRE.

Mr. Blatchly	Mr. Hendee	Mr. Richmond	
Mr. A. Brown	Mr. Horton	Mr. D. Sibley	
Mr. G. Brown	Mr. T. Lewis	Mr. Simmons	
Mr. Burke	Mr. Moore	Mr. C. Strong	
Mr. C. Clark	Mr. Niles	Mr. E. Strong	
Mr. Farwell	Mr. Patterson	Mr. Waldron	18

## FOR STODDARD JUDD.

Mr. Carr			1
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## FOR VICTORY BIRDSEYE.

Mr. A. Hascall			1
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## FOR JOB HASKELL.

Mr. Hillyer			1
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## FOR MERIT H. CASH.

Mr. Krum			1
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## FOR JACOB LE ROY.

Mr. Tyrrel			1
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On motion of Mr. Burhans,

*Resolved*, That Heman J. Redfield, of the county of Genesee, is hereby nominated on the part of this House, for the office of Canal Commissioner of this State, in the place of Michael Hoffman, resigned.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nominations of a Regent of the University and a Canal Commissioner.

Thereupon,

*Resolved*, That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their said nominations.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

The Senate accordingly attended in the Assembly chamber; and having withdrawn, Mr. Speaker informed the House, that on comparing the nominations of the Senate and Assembly, they were found to agree in the name of Washington Irving for the office of Regent of the University, and Heman J. Redfield for the office of Canal Commissioner.

*Ordered*, That the engrossed bill from the Senate, entitled "An act to incorporate the Clarkson and Sweden M'Adam turnpike road company," be ordered to a third reading.

Mr. Davis	Mr. M'Cluer	Mr. Wager
Mr. Dayan	Mr. Moore	Mr. Waldron
Mr. Denniston	Mr. Moseley	Mr. Wetmore
Mr. Eldred	Mr. Murphy	Mr. Wheeler
Mr. Farwell	Mr. Niles	Mr. Wilkinson
Mr. Finch	Mr. Odell	Mr. Williams
Mr. Fisher	Mr. Ogden	Mr. Woodbury
Mr. Gray	Mr. P. W. Paddock	Mr. Wylie
Mr. Griswold		

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*Ordered*, That the clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Susquehannah steam navigation company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 98 }  
{ NAYS 01 }

Those who voted in the affirmative are

Mr. Adams	Mr. Hall	Mr. Patterson
Mr. Barnes	Mr. A. Hascall	Mr. Pettit
Mr. Beecher	Mr. J. Haskell	Mr. Phillips
Mr. Benjamin	Mr. Healy	Mr. Plumb
Mr. Blatchly	Mr. Hendee	Mr. Powers
Mr. Brooks	Mr. Hicks	Mr. Preston
Mr. A. Brown	Mr. Hildreth	Mr. Quackenboss
Mr. G. Brown	Mr. Hiller	Mr. Ringgold
Mr. Burhans	Mr. Hillyer	Mr. Seger
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Carpenter	Mr. Jones	Mr. Simmons
Mr. Carr	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. Kent	Mr. Springer
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. C. Clark	Mr. Krum	Mr. Stevens
Mr. J. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. Coe	Mr. T. Lewis	Mr. E. Strong
Mr. Conklin	Mr. Livingston	Mr. Suffern
Mr. Crary	Mr. Lockwood	Mr. Tillinghast
Mr. Crosby	Mr. Loomis	Mr. Tyrrel

Mr. Crowell	Mr. Lytle	Mr. Wager
Mr. Cuykendall	Mr. M'Cluer	Mr. Waldron
Mr. Davis	Mr. Moore	Mr. Wetmore
Mr. Dayan	Mr. Moseley	Mr. Wheeler
Mr. Denniston	Mr. Murphy	Mr. Wilcoxson
Mr. Eldred	Mr. Niles	Mr. Wilkinson
Mr. Farwell	Mr. Odell	Mr. Williams
Mr. Finch	Mr. Ogden	Mr. Woodbury
Mr. Fisher	Mr. P. W. Paddock	Mr. W. Woodworth
Mr. Gray	Mr. W. S. Paddock	Mr. Wylie
Mr. Griswold	Mr. Parker	

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Those who voted in the negative are,

Mr. Herttell

1

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A message from the Senate was read, informing that they have passed the bill entitled "An act for establishing a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkstown in the county of Rockland," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The engrossed bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk deliver the said bill to the Senate, and request their concurrence in the same.

The engrossed bill from the Senate, entitled "An act relative to unclaimed bank dividends and deposits," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

The engrossed bill entitled "An act to enlarge the powers of commissioners of highways," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the clerk deliver the said bill to the Senate, and request their concurrence in the same.

The annual report of the Albany Savings Bank was received and read.

[See Document No. 397.]

**Ordered,** That the said report be laid upon the table.

The annual report of Andrew Comstock, an inspector of green hides and skins for the city of Albany, was received and read.

[See Document No. 398.]

**Ordered,** That the said report be laid upon the table.

The House then proceeded to the consideration of the resolution heretofore offered by Mr. Fisher; the same was again read, in the words following, to wit:

**Resolved,** That the vote on the final passage of the bill to revive and continue the act entitled "An act to incorporate the New-York dry dock company," passed May 1st, 1834, be reconsidered.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 76 }  
{ NAYS 18 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. P. W. Paddock
Mr. Barnes	Mr. Hendee	Mr. Parker
Mr. Beecher	Mr. Hicks	Mr. Patterson
Mr. Benjamin	Mr. Hildreth	Mr. Phillips
Mr. Blatchly	Mr. Hiller	Mr. Plumb
Mr. Brooks	Mr. Hillyer	Mr. Powers
Mr. Burhans	Mr. Horton	Mr. Quackenboss
Mr. Barnum	Mr. Ingersoll	Mr. Ringgold
Mr. Carpenter	Mr. Jackson	Mr. Shafer
Mr. Cash	Mr. Jones	Mr. Shepard
Mr. A. Clark	Mr. Judd	Mr. Simmons
Mr. J. Clark	Mr. Kent	Mr. Speaker
Mr. Conklin	Mr. King	Mr. Springer
Mr. Crary	Mr. Krum	Mr. Stetson
Mr. Crosby	Mr. J. W. Lewis	Mr. Stevens
Mr. Crowell	Mr. T. Lewis	Mr. C. Strong
Mr. Davis	Mr. Livingston	Mr. Tillinghast
Mr. Dayan	Mr. Lockwood	Mr. Van Bergen
Mr. Denniston	Mr. Loomis	Mr. Wager
Mr. Eldred	Mr. Lytle	Mr. Wetmore
Mr. Farwell	Mr. Moore	Mr. Wheeler
Mr. Finch	Mr. Moseley	Mr. Wilcoxson
Mr. Fisher	Mr. Niles	Mr. Wilkinson
Mr. Gray	Mr. Odell	Mr. Woodbury
Mr. Griswold	Mr. Ogden	Mr. W. Woodworth
Mr. Hall		

Those who voted in the negative are

Mr. A. Brown	Mr. J. Haskell	Mr. D. Sibley
Mr. G. Brown	Mr. Healy	Mr. E. Strong
Mr. Burr	Mr. Herttell	Mr. Tyrrel
Mr. C. Clark	Mr. Murphy	Mr. Waldron
Mr. Coe	Mr. Ostrom	Mr. Williams
Mr. Cuykendall	Mr. Preston	Mr. Wylie

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The engrossed bill from the Senate, entitled "An act regulating costs in the courts of general sessions of the peace," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act for the relief of Alexander Thuey," was read the third time.

*Resolved*, That the bill do pass.

*Ordered*, That the Clerk return the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

The engrossed bill from the Senate, entitled "An act to divide the town of Cuba in the county of Allegany," was read the third time.

Thereupon,

The same being amended by the unanimous consent of the House,

*Resolved*, That the bill and amendment do pass.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same, with the amendment therewith delivered.

The engrossed bill from the Senate, entitled "An act to alter the time for appointing superintendents of poor, and commissioners of deeds in the county of Ulster," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act regulating the specific funds of the State," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act in relation to sales of real estate by executors," was read the third time.

*Resolved*, That the bill do pass.

The engrossed bill from the Senate, entitled "An act to incorporate the Dover academy," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 90 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Fisher	Mr. Parker
Mr. Anthony	Mr. Gray	Mr. Patterson

Mr. Barnes	Mr. Griswold	Mr. Phillips
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. Herttell	Mr. Preston
Mr. Blatchly	Mr. Hicks	Mr. Quackenboss
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Ringgold
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Burke	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. M. H. Sibley
Mr. Cadwell	Mr. Judd	Mr. Simmons
Mr. Carpenter	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. C. Clark	Mr. J. W. Lewis	Mr. Stevens
Mr. J. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. Clinch	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Tillinghast
Mr. Conklin	Mr. Lytle	Mr. Tyrrel
Mr. Crary	Mr. M'Cluer	Mr. Van Bergen
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Moseley	Mr. Wheeler
Mr. Cuykendall	Mr. Murphy	Mr. Wilcoxson
Mr. Davis	Mr. Niles	Mr. Wilkinson
Mr. Dayan	Mr. Odell	Mr. Williams
Mr. Denniston	Mr. Ogden	Mr. Woodbury
Mr. Eldred	Mr. Ostrom	Mr. W. Woodworth
Mr. Farwell	Mr. P. W. Paddock	Mr. Wylie

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The engrossed bill from the Senate, entitled "An act to vest certain powers in the trustees of the village of Lansingburgh," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 92 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. Farwell	Mr. Ostrom
Mr. Anthony	Mr. Fisher	Mr. P. W. Paddock
Mr. Barnes	Mr. Gray	Mr. Parker
Mr. Beecher	Mr. Griswold	Mr. Patterson
Mr. Benjamin	Mr. Hall	Mr. Pettit
Mr. Blatchly	Mr. A. Hascall	Mr. Phillips
Mr. Brooks	Mr. J. Haskell	Mr. Powers
Mr. A. Brown	Mr. Hendee	Mr. Preston
Mr. G. Brown	Mr. Hicks	Mr. Quackenboss
Mr. Burhans	Mr. Hillyer	Mr. Richmond



Mr. Burke	Mr. Horton	Mr. Ringgold
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. M. H. Sibley
Mr. Carpenter	Mr. Judd	Mr. Simmons
Mr. Carr	Mr. Kent	Mr. Speaker
Mr. Cash	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. J. W. Lewis	Mr. C. Strong
Mr. J. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. Clinch	Mr. Livingston	Mr. Tillinghast
Mr. Coe	Mr. Lockwood	Mr. Tyrrel
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wetmore
Mr. Crosby	Mr. M'Cluer	Mr. Wheeler
Mr. Crowell	Mr. Moore	Mr. Wilcoxson
Mr. Cuykendall	Mr. Moseley	Mr. Wilkinson
Mr. Davis	Mr. Murphy	Mr. Woodbury
Mr. Dayan	Mr. Niles	Mr. W. Woodworth
Mr. Denniston	Mr. Odell	Mr. Wylie
Mr. Eldred	Mr. Ogden	

*Ordered,* That the clerk return the said bills to the Senate, and inform them that this House have passed the same severally without amendment.

Pursuant to article first of title first of chapter fifteenth of the first part of the Revised Statutes, and agreeably to the concurrent resolution of the Senate and Assembly, the House proceeded to nominate a Regent of the University of this State, in the place of John Sudam, deceased; when each member present openly nominated as follows:

#### FOR WASHINGTON IRVING.

Mr. Adams	Mr. Griswold	Mr. Pettit
Mr. Anthony	Mr. Hall	Mr. Phillips
Mr. Barnes	Mr. Harvey	Mr. Plumb
Mr. Beecher	Mr. A. Hascall	Mr. Powers
Mr. Benjamin	Mr. J. Haskell	Mr. Preston
Mr. Blatchly	Mr. Healy	Mr. Quackenboss
Mr. Brooks	Mr. Hendee	Mr. Rice
Mr. A. Brown	Mr. Herttell	Mr. Richmond
Mr. G. Brown	Mr. Hicks	Mr. Ringgold
Mr. Burhans	Mr. Hiller	Mr. Shafer
Mr. Burke	Mr. Hillyer	Mr. Shepard
Mr. Barnum	Mr. Horton	Mr. D. Sibley
Mr. Cadwell	Mr. Ingersoll	Mr. M. H. Sibley
Mr. Carpenter	Mr. Jackson	Mr. Simmons
Mr. Carr	Mr. Jones	Mr. Speaker
Mr. Cash	Mr. Judd	Mr. Springer
Mr. A. Clark	Mr. Kent	Mr. Stetson

Mr. C. Clark	Mr. King	Mr. Stevens
Mr. J. Clark	Mr. Krum	Mr. C. Strong
Mr. Clinch	Mr. T. Lewis	Mr. E. Strong
Mr. Coe	Mr. Livingston	Mr. Suffern
Mr. Conklin	Mr. Lockwood	Mr. Tillinghast
Mr. Crary	Mr. Loomis	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron
Mr. Davis	Mr. Odell	Mr. Wetmore
Mr. Dayan	Mr. Ogden	Mr. Wheeler
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilcoxson
Mr. Eldred	Mr. W. S. Paddock	Mr. Wilkinson
Mr. Farwell	Mr. Parker	Mr. Williams
Mr. Finch	Mr. Patterson	Mr. Woodbury
Mr. Fisher	Mr. Peck	Mr. Wylie
Mr. Gray		

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On motion of Mr. Wetmore,

*Resolved unanimously*, That Washington Irving be, and he is hereby nominated on the part of this House, for the office of Regent of the University of this State, in the place of John Sudam, deceased.

Pursuant to the concurrent resolution of Thursday the seventh day of May instant, the House proceeded to nominate a Canal Commissioner, to fill the vacancy occasioned by the resignation of Michael Hoffman; when each member openly nominated as follows:

**FOR HEMAN J. REDFIELD.**

Mr. Adams	Mr. Gray	Mr. Peck
Mr. Anthony	Mr. Griswold	Mr. Pettit
Mr. Barnes	Mr. Hall	Mr. Phillips
Mr. Beecher	Mr. Harvey	Mr. Plumb
Mr. Benjamin	Mr. J. Haskell	Mr. Powers
Mr. Brooks	Mr. Healy	Mr. Preston
Mr. Burhans	Mr. Herttell	Mr. Quackenboss
Mr. Barnum	Mr. Hicks	Mr. Rice
Mr. Cadwell	Mr. Hiller	Mr. Ringgold
Mr. Carpenter	Mr. Ingersoll	Mr. Shafer
Mr. Cash	Mr. Jackson	Mr. Shepard
Mr. A. Clark	Mr. Jones	Mr. Speaker
Mr. J. Clark	Mr. Judd	Mr. Springer
Mr. Clinch	Mr. Kent	Mr. Stevens
Mr. Coe	Mr. King	Mr. Suffern
Mr. Conklin	Mr. Livingston	Mr. Tillinghast
Mr. Crary	Mr. Lockwood	Mr. Van Bergen
Mr. Crosby	Mr. Loomis	Mr. Wager
Mr. Crowell	Mr. Lytle	Mr. Wetmore
Mr. Cuykendall	Mr. Murphy	Mr. Wheeler
Mr. Davis	Mr. Odell	Mr. Wilcoxson

Mr. Dayan	Mr. Ogden	Mr. Wilkinson
Mr. Denniston	Mr. P. W. Paddock	Mr. Williams
Mr. Eldred	Mr. W. S. Paddock	Mr. Woodbury
Mr. Finch	Mr. Parker	Mr. Wyhe
Mr. Fisher		

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## FOR JOHN M'INTYRE.

Mr. Blatchly	Mr. Hendee	Mr. Richmond
Mr. A. Brown	Mr. Horton	Mr. D. Sibley
Mr. G. Brown	Mr. T. Lewis	Mr. Simmons
Mr. Burke	Mr. Moore	Mr. C. Strong
Mr. C. Clark	Mr. Niles	Mr. E. Strong
Mr. Farwell	Mr. Patterson	Mr. Waldron

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## FOR STODDARD JUDD.

Mr. Carr	1
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## FOR VICTORY BIRDSEYE.

Mr. A. Hascall	1
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## FOR JOB HASKELL.

Mr. Hillyer	1
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## FOR MERIT H. CASH.

Mr. Krum	1
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## FOR JACOB LE ROY.

Mr. Tyrrel	1
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On motion of Mr. Burhans,

*Resolved*, That Heman J. Redfield, of the county of Genesee, is hereby nominated on the part of this House, for the office of Canal Commissioner of this State, in the place of Michael Hoffman, resigned.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That the Senate will immediately meet the Assembly in the Assembly chamber, to compare their nominations of a Regent of the University and a Canal Commissioner.

Thereupon,

*Resolved*, That the Assembly will immediately meet the Senate in the Assembly chamber, to compare their said nominations.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

The Senate accordingly attended in the Assembly chamber; and having withdrawn, Mr. Speaker informed the House, that on comparing the nominations of the Senate and Assembly, they were found to agree in the name of Washington Irving for the office of Regent of the University, and Heman J. Redfield for the office of Canal Commissioner.

*Ordered*, That the engrossed bill from the Senate, entitled "An act to incorporate the Clarkson and Sweden M'Adam turnpike road company," be ordered to a third reading.

Thereupon,

The said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 86 }  
{ NAYS 05 }

Those who voted in the affirmative are

Mr. Adams	Mr. Farwell	Mr. Peck
Mr. Anthony	Mr. Finch	Mr. Pettit
Mr. Barnes	Mr. Fisher	Mr. Phillips
Mr. Beecher	Mr. Gray	Mr. Plumb
Mr. Benjamin	Mr. Griswold	Mr. Powers
Mr. Blatchly	Mr. Harvey	Mr. Preston
Mr. Brooks	Mr. Hendee	Mr. Quackenboss
Mr. A. Brown	Mr. Hicks	Mr. Richmond
Mr. G. Brown	Mr. Hildreth	Mr. Shafer
Mr. Burhans	Mr. Hillyer	Mr. Shepard
Mr. Burke	Mr. Horton	Mr. D. Sibley
Mr. Barnum	Mr. Ingersoll	Mr. Simmons
Mr. Burr	Mr. Jackson	Mr. Speaker
Mr. Cadwell	Mr. Jones	Mr. Springer
Mr. Carpenter	Mr. Judd	Mr. Stetson
Mr. Cash	Mr. Kent	Mr. Stevens
Mr. A. Clark	Mr. Krum	Mr. C. Strong
Mr. C. Clark	Mr. T. Lewis	Mr. E. Strong
Mr. J. Clark	Mr. Livingston	Mr. Suffern
Mr. Coe	Mr. Lockwood	Mr. Tyrrel
Mr. Conklin	Mr. Loomis	Mr. Van Bergen
Mr. Crary	Mr. Lytle	Mr. Wager
Mr. Crosby	Mr. Moore	Mr. Waldron
Mr. Crowell	Mr. Niles	Mr. Wheeler
Mr. Cuykendall	Mr. Odell	Mr. Wilcoxson
Mr. Davis	Mr. Ogden	Mr. Wilkinson
Mr. Dayan	Mr. W. S. Paddock	Mr. Woodbury
Mr. Denniston	Mr. Parker	Mr. Wylie
Mr. Eldred	Mr. Patterson	

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Those who voted in the negative are

Mr. Carr	Mr. J. Haskell	Mr. Wetmore
Mr. Clinch	Mr. Ringgold	

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Ordered, That the Clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

**Ordered,** That the engrossed bill from the Senate, entitled "An act to raise the bounty on wolves in Sullivan county," be taken from the general orders, and ordered to a third reading.

Thereupon,

The said bill was read the third time.

**Resolved,** That the bill do pass.

**Ordered,** That the clerk return the said bill to the Senate, and inform them that this House have passed the same without amendment.

On motion of Mr. Wilkinson,

**Resolved,** (if the Senate concur,) That the tenth joint rule be suspended, so far as to permit the bill entitled "An act to enlarge the powers of commissioners of highways," which has passed the Assembly, to be sent to the Senate for concurrence.

**Ordered,** That the Clerk deliver a copy of the said resolution to the Senate, and request their concurrence in the same.

The engrossed bill entitled "An act to incorporate the Hudson river seminary," was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of the said bill, and it was determined in the negative, there not being two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 81 }  
{ NAYS 10 }

Those who voted in the affirmative are

Mr. Adams	Mr. Gray	Mr. W. S. Paddock
Mr. Anthony	Mr. Griswold	Mr. Parker
Mr. Barnes	Mr. Harvey	Mr. Patterson
Mr. Beecher	Mr. A. Hascall	Mr. Peck
Mr. Benjamin	Mr. Hendee	Mr. Pettit
Mr. Blatchly	Mr. Hicks	Mr. Phillips
Mr. Brooks	Mr. Hildreth	Mr. Plumb
Mr. A. Brown	Mr. Hiller	Mr. Powers
Mr. G. Brown	Mr. Hillyer	Mr. Quackenboss
Mr. Burhans	Mr. Horton	Mr. Richmond
Mr. Burke	Mr. Ingersoll	Mr. Shepard
Mr. Barnum	Mr. Jackson	Mr. D. Sibley
Mr. Burr	Mr. Jones	Mr. Simmons
Mr. Cadwell	Mr. Kent	Mr. Speaker
Mr. Carpenter	Mr. King	Mr. Springer
Mr. A. Clark	Mr. Krum	Mr. Stetson
Mr. C. Clark	Mr. T. Lewis	Mr. Stevens
Mr. J. Clark	Mr. Livingston	Mr. E. Strong
Mr. Conklin	Mr. Lockwood	Mr. Suffern
Mr. Crary	Mr. Loomis	Mr. Tillinghast
Mr. Crosby	Mr. Lytle	Mr. Tyrrel
Mr. Crowell	Mr. Moore	Mr. Van Bergen
Mr. Dayan	Mr. Murphy	Mr. Wager

Mr. Denniston	Mr. Niles	Mr. Waldron	
Mr. Eldred	Mr. Odell	Mr. Wilkinson	
Mr. Farwell	Mr. Ogden	Mr. Woodbury	
Mr. Fisher	Mr. P. W. Paddock	Mr. Wylie	81

Those who voted in the negative are

Mr. Carr	Mr. J. Haskett	Mr. Ringgold	
Mr. Coe	Mr. Judd	Mr. Shafer	
Mr. Cuykendall	Mr. Preston	Mr. C. Strong	
Mr. Davis			10

A message from the Senate was read, informing that they have passed the bill entitled "An act to incorporate the Putnam county iron company," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read,

Mr. Speaker put the question whether the House would agree to concur with the Senate in their amendments to the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 93 }  
{ NAYS 02 }

Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Peck
Mr. Anthony	Mr. Hall	Mr. Pettit
Mr. Beecher	Mr. A. Hascall	Mr. Phillips
Mr. Benjamin	Mr. Hendee	Mr. Plumb
Mr. Brooks	Mr. Hicks	Mr. Powers
Mr. A. Brown	Mr. Hildreth	Mr. Preston
Mr. G. Brown	Mr. Hiller	Mr. Richmond
Mr. Burhans	Mr. Hillyer	Mr. Ringgold
Mr. Burke	Mr. Horton	Mr. Shafer
Mr. Burton	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. Judd	Mr. Speaker
Mr. Cash	Mr. Kent	Mr. Springer
Mr. A. Clark	Mr. King	Mr. Stetson
Mr. C. Clark	Mr. Krum	Mr. Stevens
Mr. J. Clark	Mr. T. Lewis	Mr. C. Strong
Mr. Clinch	Mr. Livingston	Mr. E. Strong
Mr. Coe	Mr. Lockwood	Mr. Suffern
Mr. Conklin	Mr. Loomis	Mr. Tillinghast
Mr. Crary	Mr. Lytle	Mr. Tyrrel
Mr. Crosby	Mr. Moore	Mr. Van Bergen
Mr. Crowell	Mr. Murphy	Mr. Wager
Mr. Cuykendall	Mr. Niles	Mr. Waldron

Mr. Davis	Mr. Odell	Mr. Wetmore	
Mr. Dayan	Mr. Ogden	Mr. Wheeler	
Mr. Denniston	Mr. Ostrom	Mr. Wilcoxson	
Mr. Eldred	Mr. P. W. Paddock	Mr. Wilkinson	
Mr. Farwell	Mr. W. S. Paddock	Mr. Williams	
Mr. Finch	Mr. Parker	Mr. Woodbury	
Mr. Gray	Mr. Patterson	Mr. Wylie	93

Those who voted in the negative are,

Mr. Carr	Mr. J. Haskell	2
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*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

A copy of a resolution of the Senate was received and read, informing that they have concurred with this House in its resolution of this day, suspending the tenth joint rule, for the purpose of permitting the bill entitled "An act to enlarge the powers of commissioners of highways," to be sent to the Senate for concurrence.

*Ordered,* That the committee on the establishment and improvement of roads and bridges, and the incorporation of turnpike companies, be discharged from the further consideration of the two several bills entitled "An act to incorporate the Bushwick bridge company," and "An act to incorporate the Williamsburgh and Newtown bridge and turnpike company;" and that the applicants for said roads respectively have leave to withdraw their petitions and the accompanying papers.

*Ordered,* That the petitioners for the Auburn and Ithaca railroad, have leave to withdraw the papers accompanying their petitions.

*Ordered,* That the applicants for a new court-house, to be located in the village of Hempstead in Queens county, have leave to withdraw their petition and documents.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

#### TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act in relation to the Cohoes bridge company."

Also the bill entitled "An act concerning Noah Burnham."

Also the bill entitled "An act authorising Samuel D. Ferguson to convey by deed his title to a certain parsonage house and lot in the village of Plattsburgh, to the trustees of the Methodist Episcopal church of said village."

W. L. MARCY.

*Albany, May 9, 1835.*

*Ordered,* That John G. Hicks, John Schenck and Jane B. Smith, applicants for permission to build a wharf adjacent to their land on

the East river, be permitted to withdraw their petition and documents.

And then the House adjourned until nine o'clock on Monday morning next.

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## MONDAY, MAY 11, 1835.

The House met pursuant to adjournment.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the Capitol," with the amendment therewith delivered.

The said bill and amendment were read; and the amendment having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendment to the said bill, and amended the same accordingly.

*Ordered*, That the committee on colleges, academies and common schools, be discharged from the consideration of the several memorials in relation to the public schools in the city of New-York, and of the memorial of the Mechanics' Institute of the said city, praying legislative aid.

*Ordered*, That the report and bill on the subject of a department of public instruction, submitted by the committee on colleges, academies and common schools, be referred for the action of the Legislature at its next session.

Mr. Rice, from the committee on medical societies and colleges, to which was referred the memorial of Jesse Torrey junior, proposing to ventilate the Assembly chamber, or some other room in one of the public buildings, reported; and offered the following resolution:

[ See Document No. 399. ]

*Resolved*, That the Governor be authorised to make trial of the improvement proposed by Dr. Torrey, in the Assembly chamber, or such public room as he may deem most expedient; and provided the expense thereof shall not exceed the sum of two hundred and fifty dollars.

*Ordered*, That the said resolution be laid upon the table.

A message from the Senate, delivered by Mr. Young and Mr. Lansing, was received, informing that they have chosen John W. Edmonds President pro tempore of that body.

A message from the Senate was read, informing that they have passed the bill entitled "An act in relation to the State prisons," with the amendments therewith delivered.



The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The Senate returned the bill entitled "An act to incorporate the Putnam county iron company."

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have concurred with this House in sundry of its amendments to the bill entitled "An act to amend the act relating to the militia and public defence," and non-concurred in others of the same, as designated for that purpose on the margin of the said message.

Mr. Speaker put the question whether the House would agree to recede from its amendment non-concurred in by the Senate, and it was determined in the negative.

{ NAYS 68 }  
{ AYES 25 }

The ayes and nays being required by ten members,

Those who voted in the negative are

Mr. Anthony	Mr. J. Haskell	Mr. Plumb
Mr. Barnes	Mr. Hendee	Mr. Powers
Mr. Beecher	Mr. Herttell	Mr. Preston
Mr. Benjamin	Mr. Hildreth	Mr. Richmond
Mr. Brooks	Mr. Hiller	Mr. Seger
Mr. A. Brown	Mr. Hillyer	Mr. Shafer
Mr. G. Brown	Mr. Horton	Mr. Shepard
Mr. Burr	Mr. Ingersoll	Mr. D. Sibley
Mr. Cadwell	Mr. Jackson	Mr. Simmons
Mr. Carpenter	Mr. Jones	Mr. Speaker
Mr. Carr	Mr. Judd	<del>Mr. Springer</del>
Mr. A. Clark	Mr. King	Mr. C. Strong
Mr. C. Clark	Mr. Krum	Mr. E. Strong
Mr. Clinch	Mr. Livingston	Mr. Suffern
Mr. Coe	Mr. Mallory	Mr. Thorn
Mr. Conklin	Mr. Murphy	Mr. Tillinghast
Mr. Crary	Mr. Odell	Mr. Tyrrel
Mr. Crosby	Mr. Ostrom	Mr. Waldron
Mr. Crowell	Mr. P. W. Paddock	Mr. Wheeler
Mr. Cuykendall	Mr. Parker	Mr. Woodbury
Mr. Davis	Mr. Patterson	Mr. W. Woodworth
Mr. Farwell	Mr. Pettit	Mr. Wylie
Mr. Harvey	Mr. Phillips	

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Those who voted in the affirmative are

Mr. Adams	Mr. Griswold	Mr. Stetson
Mr. Bennet	Mr. A. Hascall	Mr. Stevens

Mr. Burhans  
Mr. Barnum  
Mr. Crain  
Mr. Denniston  
Mr. Eldred  
Mr. Fisher  
Mr. Gray

Mr. Hicks  
Mr. Lockwood  
Mr. Loomis  
Mr. Lytle  
Mr. Niles  
Mr. Ogden

Mr. Van Bergen  
Mr. Wager  
Mr. Wetmore  
Mr. Wilcoxson  
Mr. Wilkinson  
Mr. Williams

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*Ordered.* That the Clerk return the said bill to the Senate, and inform them that this House have refused to recede from their amendments thereto, non-concurred in by the Senate.

Eight several messages from the Senate were read, informing that they have rejected the bill entitled "An act for the appointment of commissioners in other States, to take the proof and acknowledgment of deeds of lands in this State;" the bill entitled "An act concerning forgery and counterfeiting;" the bill entitled "An act for the relief of the Mount-Pleasant academy;" the bill entitled "An act to regulate the taking and summoning of juries in justices' courts;" the bill entitled "An act concerning the appointment of superintendents of the county poor-house in Warren county;" the bill entitled "An act for the relief of Lucas Elmendorf;" the bill entitled "An act to explain and amend title third of chapter fifth of part third of the Revised Statutes, entitled 'Of the partition of lands owned by several persons;'" and the bill entitled "An act authorising the board of supervisors of the county of Orleans to raise money to make a road across Tonawanda swamp in the town of Barre in said county."

Three several messages from the Senate were read, informing that they have passed the bill entitled "An act to incorporate the Lumberland and Bethel turnpike road company;" the bill entitled "An act confirming the election and classification of justices of the peace in the town of Brookhaven in the county of Suffolk;" and the bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city," severally without amendment.

*Ordered,* That the Clerk deliver the said bills to the Governor.

The Senate returned the bill entitled "An act to incorporate the Susquehannah steam navigation company;" the bill entitled "An act to incorporate the Fishkill education society;" the bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned;" the bill entitled "An act to take certain proof in respect to the claims of Nathan Bumpus;" the bill entitled "An act in relation to the Erie canal;" the bill entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkstown in the county of Rockland;" the bill entitled "An act to incorporate the Genesee seminary;" the bill entitled "An act for the relief of the First Christian party of Oneida Indians;" the bill entitled "An act to prevent the sale of strong or spirituous liquors to paupers;" the bill entitled "An act to autho-

rise the raising of money for the support of the Lancaster school in the city of Hudson;" the bill entitled "An act to incorporate the Nassau academy;" the bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate;" the bill entitled "An act to incorporate the village of Homer;" and the bill entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes."

*Ordered*, That the Clerk deliver the said bills to the Governor.

Twelve several messages from the Senate were read, informing that they have passed the bill entitled "An act for the relief of Josiah Rawson and Robert Toan;" the bill entitled "An act authorising the sale of certain lands in the village of Lewiston;" the bill entitled "An act in relation to laying out a highway in the town of Geneseo;" the bill entitled "An act for the relief of Daniel Fowler;" the bill entitled "An act to incorporate the Lake Champlain steam-boat navigation company;" the bill entitled "An act to regulate the taxation of the accounts of district attorneys;" the bill entitled "An act for the relief of William Jerome;" the bill entitled "An act to create and regulate a standard for measuring bran and shorts;" the bill entitled "An act for the relief of John Hill, Jenny Hill and Anthony Otsequette;" the bill entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes;" the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Eddyville bridge company,' passed April 22d, 1831;" and the bill entitled "An act in relation to the sales of land by the surveyor-general and the attorney-general," severally without amendment.

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

### TO THE ASSEMBLY.

GENTLEMEN,

I return to you, without my signature, the accompanying bill, entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes;" upon the ground that I have not been able to satisfy myself that it has been passed in the manner required by the Constitution.

This bill proposes to confer on the mayor and common council of the city of Rochester a power or authority which they do not now possess; and, in my opinion, therefore, it falls within the description of bills which require the votes of two-thirds of all the members elected to each branch of the Legislature to be given in favor of them, before they can be passed.

The first section of the bill authorises the mayor and common council of the city of Rochester to assess and collect ten thousand dollars, and to appropriate it to the erection of a new market.

The second section authorises them to sell the premises now

occupied as a market, and to appropriate the avails of the same to the purchasing of a site, &c. for erecting a new market thereon.

It appears to me that each of these sections enlarges the powers of the mayor and common council; and if so, they must be considered as altering a body politic or corporate; and consequently the bill containing them cannot be considered by me as duly passed, unless it appears by the certificate of the presiding officer of each branch of the Legislature, that two-thirds of all the members elected to each voted in favor thereof. The bill does not furnish that evidence, and I cannot therefore regard it as having passed by the votes of two-thirds of the members elected.

Not having received the bill until this morning, I have not had an opportunity to examine minutely the former course of legislation on like subjects; but I find several instances in which similar bills have been regarded as two-third bills, and none of like character that have been passed as majority bills. "An act authorising the trustees of the village of Buffalo to raise money by tax, for the extinguishment of fires," (Sess. 1832, chap. 147,) was passed as a two-third bill; also the "Act for the further support and extension of common schools in the city of New-York," passed at the same session, (chap. 119,) was regarded as a two-third bill. It is true that I find several laws in the statute books, passed as majority bills, which authorise the mayor, recorder and aldermen of the city of New-York to raise money; but in each one of them (thus passed) which I have examined, the authority is expressly given to them *as supervisors of the city and county of New-York*. I am therefore inclined to believe that this fact was made a ground of distinction as to the application of that clause of the Constitution, requiring in certain cases the votes of two-thirds of all the members elected to pass a bill. I do not find that the boards of supervisors of the counties have ever been considered a body politic or corporate, within the meaning and operation of that clause of the Constitution.

At the same time that the bill now under consideration was transmitted to me by you, I received from you another, entitled "An act to authorise the raising of money for the support of the Lancaster school in the city of Hudson." This bill simply empowers the mayor, recorder and commonalty of the city of Hudson to raise four hundred dollars by a tax, and directs them to pay the money over to the trustees of the Lancaster school, who are required to apply the same for the support of it. This act was passed by you as a two-third bill: If it was so, or if either of the others to which I have referred was a two-third bill, then the one under consideration is undoubtedly of that character.

Believing it to be a two-third bill, I return it to you as one sent to me without having been passed by the Assembly in the manner required by the Constitution.

I have not the slightest objection to the provisions of the bill; and shall, if it duly passes by the constitutional vote of two-thirds of the members of both branches of the Legislature, most cordially give it my approval.

W. L. MARCY.

Albany, May 11, 1835.

Thereupon,

Mr. Speaker again put the question whether the House would agree to the final passage of the said bill, and it was determined in the affirmative, two-thirds of all the members elected to this House voting in favor thereof, as follows, to wit:

{ AYES 100 }  
{ NAYS 00 }

Those who voted in the affirmative are

Mr. Adams	Mr. A. Hascall	Mr. Phillips
Mr. Anthony	Mr. J. Haskell	Mr. Plumb
Mr. Beecher	Mr. Hendee	Mr. Powers
Mr. Benjamin	Mr. Herttell	Mr. Preston
Mr. Bennet	Mr. Hicks	Mr. Quackenboss
Mr. Brooks	Mr. Hildreth	Mr. Rice
Mr. A. Brown	Mr. Hiller	Mr. Richmond
Mr. G. Brown	Mr. Hillyer	Mr. Seger
Mr. Burhans	Mr. Horton	Mr. Shafer
Mr. Barnum	Mr. Ingersoll	Mr. Shepard
Mr. Burr	Mr. Jackson	Mr. D. Sibley
Mr. Cadwell	Mr. Jones	Mr. Simmons
Mr. Carpenter	Mr. Judd	Mr. Speaker
Mr. Carr	Mr. Kent	Mr. Springer
Mr. Cash	Mr. King	Mr. Stetson
Mr. A. Clark	Mr. Krum	Mr. Stevens
Mr. C. Clark	Mr. Livingston	Mr. C. Strong
Mr. J. Clark	Mr. Lockwood	Mr. E. Strong
Mr. Clinch	Mr. Loomis	Mr. Suffern
Mr. Coe	Mr. Lytle	Mr. Thorn
Mr. Conklin	Mr. Mallory	Mr. Tillinghast
Mr. Crain	Mr. M'Cluer	Mr. Tyrrel
Mr. Crary	Mr. Moseley	Mr. Van Bergen
Mr. Crosby	Mr. Murphy	Mr. Wager
Mr. Crowell	Mr. Niles	Mr. Waldron
Mr. Cuykendall	Mr. Odell	Mr. Wetmore
Mr. Davis	Mr. Ogden	Mr. Wheeler
Mr. Dayan	Mr. Ostrom	Mr. Wilcoxson
Mr. Denniston	Mr. P. W. Paddock	Mr. Wilkinson
Mr. Eldred	Mr. Parker	Mr. Williams
Mr. Farwell	Mr. Patterson	Mr. Woodbury
Mr. Fisher	Mr. Peck	Mr. W. Woodworth
Mr. Gray	Mr. Pettit	Mr. Wylie
Mr. Griswold		

100

*Ordered,* That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, sundry of the said amendments were concurred in, and others non-concurred in.

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred in sundry of their said amendments, and non-concurred in others, as the same are for that purpose designated in the margin of the said message.

A message from the Senate was read, informing that they have passed the bill entitled "An act to amend act entitled 'An act in relation to the superintendents of the poor of the several counties of this State,' passed April 25th, 1832," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

*Resolved*, (if the Assembly concur,) That a committee of conference be appointed, on the amendments to the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" which are the subject of disagreement between the two houses; and in case of concurrence, that Mr. Gansevoort, Mr. Young and Mr. Halsey, be of the said committee on the part of the Senate.

Thereupon,

*Resolved*, That this House do concur with the Senate in their said resolution; and that Mr. Patterson, Mr. Wager and Mr. Adams, be of the said committee on the part of this House.

*Ordered*, That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act to enlarge the powers of commissioners of highways," without amendment.

*Ordered*, That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have concurred with this House in its amendment to the bill entitled "An act to divide the town of Cuba in the county of Allegany," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered*, That the Clerk return the same to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act to compensate Samuel Farwell for services rendered to the State upon the Erie canal," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

*Ordered*, That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

The Senate returned the bill entitled "An act in relation to the State prisons," and the bill entitled "An act in relation to the Capitol."

*Ordered*, That the Clerk deliver the said bills to the Governor.

*Ordered*, That the committee on rail-roads be discharged from the further consideration of the petition and remonstrance of the



inhabitants of the villages of Lansingburgh and Waterford, in relation to the amendment to the charter of the Rensselaer and Saratoga rail-road; and that the petitioners have leave to withdraw their documents.

A message from the Senate was read, informing that they have receded from their amendments non-concurred in by this House, to the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829," and have concurred with this House in its amendment to the amendment of the Senate to the said bill.

*Ordered,* That the Clerk deliver the said bill to the Governor.

Mr. Patterson, from the committee appointed on the part of the House, to confer with the committee on the part of the Senate, on the difference between the two houses on the amendment of the Senate to the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools,'" reported, that they have performed the duties assigned them, and the committee of the Senate have agreed to recommend that the Senate recede from their amendments.

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.

*Ordered,* That the petitioners have leave to withdraw the papers and documents accompanying the bill entitled "An act relating to the Utica and Schenectady rail-road."

A message from the Senate was read, informing that they have passed the bill entitled "An act for the payment of certain officers of the government, and for other purposes," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, some of said amendments were concurred in, and others non-concurred in.

*Ordered,* That the Clerk return the said bill to the Senate, and inform them that this House have concurred in sundry of their said amendments, and non-concurred in others, as the same are for that purpose designated on the margin of the said message.

A message from the Senate was read, informing that they have receded from their resolution of non-concurrence to the amendments of this House to the bill entitled "An act relating to the militia and public defence," and have amended the same accordingly.

The said amended bill having been examined,

*Ordered,* That the Clerk return the same to the Senate.

The Senate returned the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829."

*Ordered,* That the Clerk deliver the said bill to the Governor.

The Senate returned the bill entitled "An act to compensate Samuel Farwell for services rendered to the State upon the Erie canal."

**Ordered,** That the Clerk deliver the said bill to the Governor.

A copy of a resolution of the Senate was received and read, in the words following, to wit:

**Resolved,** (if the Assembly concur,) That a committee of conference be appointed, on the amendments to the bill entitled "An act for the payment of certain officers of the government, and for other purposes," which are the subject of disagreement between the two houses; and in case of concurrence, that Mr. Tracy, Mr. Van Schaick and Mr. Gansevoort, be of the said committee on the part of the Senate.

Thereupon,

**Resolved,** That this House do concur with the Senate in their said resolution; and that Mr. Judd, Mr. Dayan and Mr. D. Sibley, be of the said committee on the part of this House.

**Ordered,** That the Clerk deliver a copy of the preceding resolution of concurrence to the Senate.

A message from the Senate was read, informing that they have passed the bill entitled "An act to repeal the act therein mentioned," without amendment.

**Ordered,** That the Clerk deliver the said bill to the Governor.

A message from the Senate was read, informing that they have passed the bill entitled "An act authorising the raising by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act to change the location of the northern termination of the Chenango canal," with the amendments therewith delivered.

The said bill and amendments were read; and the amendments having been again read, and concurred in,

**Ordered,** That the Clerk return the said bill to the Senate, and inform them that this House have concurred with them in their amendments to the said bill, and amended the same accordingly.

Mr. Judd, from the committee of conference on the part of this House, upon the amendments to the bill entitled "An act to provide for the payment of certain officers of the government, and for other purposes," reported, that the committee had agreed to strike out of the said amendments, the eighth section, relating to an increase of the salary of the canal commissioners; also the last clause of the ninth section, in the following words, "and the same allowance for travelling as has heretofore been allowed him, to be certified by the president of the senate;" and to alter the tenth section, by striking out of the same the words "the same allowance," and inserting "one dollar and fifty cents;" and also by striking out of the last clause of the same section, "as was allowed him at the last meeting of the senate;" so that the tenth section, as amended, should read as follows:

"§ 10. The treasurer shall pay, on the warrant of the comptroller, to Jacob Griffin, one dollar and fifty cents per day for his attendance as messenger on the extra meetings of the court for the correction of errors."

Mr. Speaker put the question whether the House would agree with the committee in their said report, and it was determined in the affirmative.



On motion of Mr. Wetmore,

*Resolved*, That there shall be paid out of the contingent fund of this House, to each of its officers, (including the three deputy clerks,) the same compensation for expenses in travelling to their homes, as is allowed by law to members of the Legislature,

The Senate returned the bill entitled "An act to provide for the payment of certain officers of the government, and for other purposes;" the bill entitled "An act authorising the raising by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act to change the location of the northern termination of the Chenango canal;" and the bill entitled "An act appointing commissioners to lay out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham."

*Ordered*, That the Clerk deliver the said bills to the Governor.

A message from the Governor, delivered by his private secretary, was read, in the words following, to wit:

# TO THE ASSEMBLY.

GENTLEMEN,

I have this day approved and signed the bill entitled "An act to regulate the taxation of the accounts of district attorneys."

Also the bill entitled "An act to incorporate the Lumberland and Bethel turnpike road company."

Also the bill entitled "An act to take certain proof in respect to the claims of Nathan Bumpus and others against this State."

Also the bill entitled "An act to incorporate the village of Homer."

Also the bill entitled "An act in relation to laying out a highway in the town of Geneseo."

Also the bill entitled "An act in relation to the sales of land by the surveyor-general and the attorney-general."

Also the bill entitled "An act for the relief of Daniel Fowler."

Also the bill entitled "An act authorising the sale of certain lands in the village of Lewiston."

Also the bill entitled "An act for establishing and regulating a ferry across the Hudson river, between Sing-Sing in the town of Mount-Pleasant in the county of Westchester, and Slaughter's landing in the town of Clarkstown in the county of Rockland."

Also the bill entitled "An act in relation to the Erie canal."

Also the bill entitled "An act in relation to powers of attorney executed by married women, for the conveyance of real estate."

Also the bill entitled "An act authorising the canal commissioners to deepen the upper level of the Crooked lake canal, and for other purposes."

Also the bill entitled "An act to prevent the sale of strong or spirituous liquors to paupers."

Also the bill entitled "An act for the relief of the First Christian party of Oneida Indians."

Also the bill entitled "An act to revive and amend an act entitled 'An act to incorporate the Hddyville bridge company,' passed April 22d, 1831."

Also the bill entitled "An act to incorporate the Genesee seminary."

Also the bill entitled "An act to authorise the raising of money for the support of the Lancaster school in the city of Hudson."

Also the bill entitled "An act to provide for auditing the accounts of certain town officers in the several counties therein mentioned."

Also the bill entitled "An act to incorporate the Nassau academy."

Also the bill entitled "An act to incorporate the Susquehannah steam navigation company."

Also the bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York to alter and regulate the plan of part of the said city."

Also the bill entitled "An act to incorporate the Lake Champlain steam-boat navigation company."

Also the bill entitled "An act to repeal the act therein mentioned."

Also the bill entitled "An act to compensate Samuel Farwell for services rendered to the State upon the Erie canal."

Also the bill entitled "An act to amend the act entitled 'An act to create a fund for the benefit of the creditors of certain monied corporations, and for other purposes,' passed April 2d, 1829."

Also the bill entitled "An act for the relief of William Jerome."

Also the bill entitled "An act to create and regulate a standard for measuring bran and shorts."

Also the bill entitled "An act confirming the election and classification of justices of the peace in the town of Brookhaven in the county of Suffolk."

Also the bill entitled "An act to incorporate the Putnam county iron company."

Also the bill entitled "An act authorising the mayor and common council of the city of Rochester to raise money by tax, for the purpose of erecting a market, and for other purposes."

Also the bill entitled "An act to amend an act entitled 'An act in relation to the superintendents of the poor of the several counties of this State,' passed April 25th, 1832."

Also the bill entitled "An act to enlarge the powers of commissioners of highways."

Also the bill entitled "An act in relation to the Capitol."

Also the bill entitled "An act in relation to the State prisons."

Also the bill entitled "An act for the relief of John Hill, Jenny Hill and Anthony Ousequette."

Also the bill entitled "An act to incorporate the Fishkill education society."

Also the bill entitled "An act for the relief of Josiah Rawson and Robert Toan."

Also the bill entitled "An act appointing commissioners to lay

out and establish a road from New-Rochelle village in the county of Westchester, to George Rapelje's bridge over Eastchester creek in the town of Pelham."

Also the bill entitled "An act to amend title second of chapter fifteenth of part first of the Revised Statutes, entitled 'Of common schools.'"

Also the bill entitled "An act to authorise the raising by an equitable assessment upon the real estate situated in the city of Utica, the money required to be paid to the canal fund by an act to change the northern termination of the Chenango canal."

Also the bill entitled "An act for the payment of certain officers of the government, and for other purposes."

W. L. MARCY.

*Albany, May 11, 1835.*

A message from the Senate, delivered by Mr. Livingston and Mr. Tracy, was received, informing that the Senate were ready to adjourn.

*Ordered*, That Mr. Wetmore and Mr. Blatchley wait upon the Governor, and inform him, that unless he has some further business to lay before the Legislature, this House is ready to adjourn.

*Ordered*, That Mr. Cash and Mr. Hillyer be a committee to wait upon the Senate, and inform them that this House is ready to adjourn.

Mr. Cash reported, that pursuant to the order of the House, Mr. Hillyer and himself had waited upon the Senate, and informed them that this House was ready to adjourn.

Mr. Wetmore reported, that pursuant to the order of the House, Mr. Blatchley and himself had waited upon the Governor, and informed him, that unless he had some further business to lay before the Legislature, this House was ready to adjourn; and that the Governor had been pleased to say that he had no further communication to make to the Legislature.

On motion of Mr. Patterson,

*Resolved unanimously*, That the thanks of this House be presented to the Hon. Charles Humphrey, Speaker of the Assembly, for the able, dignified and impartial manner with which he has discharged the arduous and responsible duties of the chair; and that in retiring from the station he has so honorably and faithfully filled, he will carry with him the best wishes of the members of this House.

To which his Honor the Speaker made the following reply:

GENTLEMEN,

Our public services having ended, we are about to return to our individual avocations, and to the enjoyments and duties of domestic life.

On looking back through the period which we have passed together, we can find great cause for mutual congratulation, and but little for unpleasant reflection. Our proceedings have been distinguished by as much of harmony and good temper, and as little

embittered by party asperity or personal collision, as has been the lot of any of our predecessors in this Hall. I may not, on this occasion, speak of the talents of this House, individually or collectively; but I may, without impropriety, claim for its members the credit which is due to industrious and patient labor in the public service.

A very small and comparatively unimportant proportion of the business submitted to us has been left undisposed of; and in the amount and importance of what has been accomplished, taking into view the increasing population and business of the State, our proceedings will be found to sustain a favorable comparison with those of any former session.

In this moment of separation, it affords us a melancholy pleasure to turn from the cold and perplexing business of legislation, to the indulgence of those kindlier feelings connected with the social relations which we sustain towards each other.

When we came together in this hall from the various sections of the State, many of us met for the first time. Many of us then met with the indifference with which strangers regard each other, who will now part with the regrets which attend the departure of friends. As men, we can appreciate the sentiments which such a relation inspires. Statesmen can appreciate the influence of such a cause upon the stability of our political institutions.

I take this opportunity, with great pleasure, to acknowledge my obligations to the Clerk of the House, for the aid which I have received from his intelligence and experience. The progress of business has been greatly facilitated by the methodical arrangements in his department, and the prompt attention of those connected with it. It is also due to the officers of the House, to bear testimony to the fidelity with which they have filled their several stations, on which the preservation of order and the comfort of members essentially depend.

I entered upon the duties of the chair with a distrust of my ability to discharge them. They are always arduous, often delicate and embarrassing. It has been my endeavor, by an adherence to our rules, and a strict impartiality with regard to members, and such attention to the general subjects of legislation as my peculiar duties would permit, to promote the despatch of business, and retain the confidence of the House. That I have succeeded in the latter respect beyond my hopes, I have the gratifying assurance contained in the resolution which you have just passed, and in the unanimity with which it was adopted.

Gentlemen, I have throughout the session been cheered and encouraged in my official labors by your constant and liberal support. In our personal intercourse, courtesy and kindness have prevailed without an exception. For all this, I cannot content myself with rendering you a mere formal acknowledgment of thanks. I feel that I owe you a deep and lasting debt of gratitude. With my best wishes for your prosperity and happiness, I now bid you, each and all, an affectionate farewell.

The Speaker then adjourned the House *sine die*.

P. REYNOLDS, Jr. *Clerk.*

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## ERRATA.

- Page 53, fourth line, for "Florida," read "Florence."
- " 90, twenty-second line, for "Joseph Campbell," read "John Campbell."
- " 106, ~~eleventh~~ ninth line, for "electoral," read "election."
- " 167, seventh line from bottom, for "Chemung canal," read "Chenango canal."
- " 269, eleventh line, for "John Wall," read "John Waters."
- " 342, tenth line from bottom, for "H. Greenman," read "Samuel H. Greenman."
- " 355, twenty-first line, for "Little-Falls to Herkimer," read "Little-Falls to Fairfield."
- " 390, twenty-second line from bottom, for "Henry Hand," read "Abram Hawn."
- " 396, twenty-seventh and twenty-ninth lines, for "Abram Harver," read "Abram Hawn."
- " 407, twenty-eighth line, for "Abram Harver," read "Abram Hawn."
- " 424, twentieth line, for "Samuel W. Barr," read "Samuel W. Bard."
- " 548, second line from bottom, for "Mr. A. Hascall," read "Mr. J. Haskell."
- " 664, eleventh line from bottom, for "Enoch Burrows," read "Asa Burrows."
- " 686, twenty-fourth line, for "St. John's church of said county," read "St. Luke's church in said town."
- " 707, eighth line from bottom, for "city of New-York," read "city of Hudson."
- " 745, two last lines, for "An act to amend the act to incorporate the Utica and Schenectady rail-road company," read "An act to incorporate the Utica and Syracuse rail-road company."
- " 760, seventh and ninth lines from bottom, for "Mr. Wilkin-son," read "Mr. Wilcoxson."
- " 813, thirteenth line from bottom, for "Schenectady," read "Syracuse."
- " 901, seventh line from bottom, and page 908, twentieth line, for "execution," read "executors."



